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FEDERAL REGISTER

VOLUME 25 NUMBER 109

Washington, Saturday, June 4, 1960

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Announcement

CFR SUPPLEMENTS

(As of January 1, 1960)

The following Supplements are now available:

Title 7, Part 960 to End $2.50
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Title 15 ..... $1.25

Previously announced: Title 3 ($0.60); Titles 4–5 ($1.00); Title 7, Parts 1–50 ($0.45); Parts 51–52 ($0.45); Parts 53–209 ($0.40); Parts 210–399, Revised ($4.00); Parts 900–959 ($1.50); Title 8 ($0.40); Title 9 ($0.35); Titles 10–13 ($0.50); Title 18 ($0.55); Title 19 ($1.00); Title 20 ($1.25); Title 21 ($1.50); Titles 22–23 ($0.45); Title 24 ($0.45); Title 25 ($0.45); Title 26 (1939), Parts 1–79 ($0.40); Parts 80–169 ($0.35); Parts 170–182 ($0.35); Parts 300 to End ($0.40); Title 26, Part 1 (§§ 1.01–1.499) ($1.75); Parts 1 (§ 1.500 to End)–19 ($2.25); Parts 20–169 ($1.75); Parts 170–221 ($2.25); Part 300 to End ($1.25); Titles 28–29 ($1.75); Titles 30–31 ($0.50); Title 32, Parts 1–399 ($2.00); Parts 400–699 ($2.00); Parts 700–799 ($1.00); Parts 800–999, Revised ($3.75); Part 1100 to End ($0.60); Title 33 ($1.75); Title 35, Revised ($3.50); Title 36, Revised ($3.00); Title 37, Revised ($3.50); Title 38 ($1.00); Title 39 ($1.50); Title 42, Revised ($4.00); Title 43 ($1.00); Title 46, Parts 1–145 ($1.00); Parts 146–149, Revised ($6.00); Part 150 to End ($0.65); Title 47, Parts 1–29 ($1.00); Part 30 to End ($0.30); Title 49, Parts 1–70 ($1.75); Parts 71–90 ($1.00); Parts 91–164 ($0.45); Part 165 to End ($1.00); Title 50 ($0.70).

Order from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3351

FLAG DAY, 1960

By the President of the United States of America

A Proclamation

WHEREAS in the first year of our national independence, on June 14, 1777, "the United States in Congress assembled" created the flag of the United States consisting of thirteen stripes of red and white and a union of thirteen white stars in a blue field; and

WHEREAS the stars of the union, representing the States of the Nation, have multiplied with the passing years until they will number fifty on July 4, 1960; and

WHEREAS it is fitting that the sight of our flag should stir our hearts with pride and gratitude for our national heritage of independence, union, and equality under representative government dedicated to freedom and justice for all; and

WHEREAS it is proper on the birthday of the Stars and Stripes that we should recall the qualities of greatness that our Founding Fathers displayed when, with firm reliance on Divine Providence, they pledged their lives, their fortunes, and their sacred honor to bring this Nation into being; and

WHEREAS the troubled times in which we live call for the courage, steadfastness, and wisdom of our forefathers in their times of trial and for renewed dedication to our country under the banner which symbolizes our national purposes; and

WHEREAS the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day and requested the President to issue annually a proclamation calling upon the Government and the people of the United States to observe that day:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Tuesday, June 14, 1960, to be Flag Day; and I call upon the responsible officers of the Federal Government and of the State and local governments to arrange for the flag to be flown on all public buildings on that day.

I request the people of the United States to observe Flag Day by flying the colors at their homes and other suitable places, by organizing and participating in appropriate services and ceremonies, and by giving grateful thought to the treasured national heritage which the flag represents.

I also urge all our people at all times to cultivate and to inculcate in their children the ideals and the qualities of responsible American citizenship, which constitute the strongest possible guarantee of the flag's future honor and glory.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of June in the year of our Lord nineteen hundred and sixty, [SEAL] and of the Independence of the United States of America the one hundred and eighty-fourth.

DWIGHT D. EISENHOWER

By the President:

CHRISTIAN A. HERTER,
Secretary of State.

[F.R. Doc. 60-5167; Filed, June 3, 1960; 10:39 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 89—GROUP HEALTH BENEFITS

Miscellaneous Amendments

The Civil Service Commission has approved amendments to the regulations governing the Federal Employees Health Benefits Program. The first of these amendments is designed to exclude from coverage certain persons whose Federal employment is intermittent, whether they have regular tours of duty or not. These persons typically spend but a few minutes a day or week performing Federal duties. Ordinarily their duties are such that there is no particular period of time to be spent in performing Federal duties. However, the annual rate of pay reflects the amount of time required for performance of the duties. Consequently the amendment excludes those employees whose annual rate of pay is $350 a year or less.

The other amendments are intended to clarify the regulations and instructions for registration of Federal employees and to simplify administration.

Because of the imminence of the effective date established by law for the Federal Employees Health Benefits Program, the Commission finds that notice and public procedure on these amendments is impracticable, and therefore,

It is ordered, That effective on the date of publication in the FEDERAL REGISTER, Part 89 of Chapter I of Title 5, Code of Federal Regulations, is amended as follows:

Section 89.2(b)(5) is amended to read as follows:

§ 89.2 Coverage.

* * * * *

(b) Employees in the following groups are not eligible:

* * * * *

(5) Employees whose salary, pay, or compensation on an annual basis is $350 a year or less.

Section 89.4 (a) and (b) is amended to read as follows:

§ 89.4 Effective date of enrollment.

(a) The effective date of enrollment under § 89.3(a) is the first day of the first pay period after June 30, 1960, if (1) the employee is in pay status at any time in the preceding pay period, except that, if the employee is a substitute in the postal field service, he must have drawn sufficient pay after other deductions during the six consecutive preceding pay periods to permit withholding the amount necessary for his share of the cost of the health benefits plan he selects, and (2) his Health Benefits Registration Form has been received by his employing office before July 1, 1960.

(b) The effective date of enrollment or change of enrollment under § 89.3(f), for employees, is the first day of the first pay period after October 31 of the year in which the employing office receives the employee's registration to enroll or change enrollment, if the employee is in pay status at any time in the preceding pay period, except that, if the employee is a substitute in the postal field service, the effective date must follow six consecutive pay periods in which the employee was in pay status and in each of which he drew sufficient pay, after other deductions, to permit withholding of the amount necessary for his share of the cost of the health benefits plan he selects.

(Sec. 10, 73 Stat. 715, 5 U.S.C. 3009)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant.

[F.R. Doc. 60-5079; Filed, June 3, 1960; 8:47 a.m.]

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.435]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

Designation of Differential Posts

Section 325.15 *Designation of differential posts* is amended as follows, effective as of the beginning of the first pay period following May 28, 1960:

1. Paragraph (b) is amended by the deletion of the following:

Colombia, all posts except Barranquilla, Bogota, Cali, Medellin and San Andres Island.

2. Paragraph (b) is amended by the addition of the following:

Colombia, all posts except Barranquilla, Bogota, Cali, Manizales, Medellin and San Andres Island.

3. Paragraph (c) is amended by the addition of the following:

Manizales, Colombia.

(Secs. 102, 401, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp., E.O. 10623, E.O. 10636, 20 F.R. 5297, 7025, 3 CFR, 1955 Supp.)

Dated: May 13, 1960.

For the Secretary of State.

[SEAL] LANE DWINELL,
Assistant Secretary.

[F.R. Doc. 60-5092; Filed, June 3, 1960; 8:50 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 446—PEANUTS

Notice of Extension of Maturity Date 1959 Crop Peanut Price Support Program

Notice is hereby given of the extension by Commodity Credit Corporation of the loan maturity date for 1959 crop peanuts, as provided for in § 446.1102(b) of the 1959 crop peanut price support program regulations published in the FEDERAL REGISTER for July 30, 1959 (24 F.R. 6077), from May 31, 1960 to June 24, 1960.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; sec. 201, 68 Stat. 899; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421)

Issued this 31st day of May 1960.

ANDREW J. MAIR,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 60-5095; Filed, June 3, 1960; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 29—TOBACCO INSPECTION

Fees and Charges

On April 29, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 3764), regarding the issuance of an amendment to the regulations governing the inspection of tobacco (7 CFR Part 29), issued pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.). The notice provided that all persons desiring to submit written data, views, and arguments for consideration in connection with the proposed amendment should submit same not later than 10 days after publication of the proposed amendment in the FEDERAL REGISTER of April 29. 1960. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following amendments are hereby promulgated, pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731, 7 U.S.C. 511 et seq.).

1. Change paragraphs (b) and (c) of § 29.123 to read as follows:

(b) The fees or charges for hogshead, bale or case inspection shall be the actual total cost including travel expense, per diem allowance and salaries.

(c) The fees or charges for sample inspection shall be the actual total cost including travel expense, per diem allowance and salaries.

2. Change paragraph A of § 29.801 to read as follows:

A. *Determination of fees or charges and payments of costs.*

1. Fees or charges for inspection at redrying plants and receiving points shall include travel expense, per diem allowance and salaries: *Provided,* That charges for verification or confirmation of grades previously assigned at redrying plants and receiving points shall not include a charge for salaries if there has been no change in ownership of the tobacco involved and if inspectors performing such verification or confirmation were not recalled to duty for the purpose of performing such service.

2. Charges for inspection at non-designated auction markets shall include travel expense, per diem allowance and salaries.

3. Fees or charges for hogshead, bale or case inspection shall be the actual total cost including travel expense, per diem allowance and salaries.

4. Fees or charges for sample inspection shall be the actual total cost including travel expense, per diem allowance and salaries.

5. All charges as assessed under paragraphs 1, 2, 3 and 4, shall be increased by 8 percent to cover administrative expenses.

6. It is mutually agreed that AMS will pay all expenses above mentioned from any available appropriation with the agreement and understanding that AMS shall be reimbursed therefor by the applicant for all expenses so paid by AMS for conducting the work hereunder.

7. The applicant agrees to reimburse the Agricultural Marketing Service for all expenses incurred in the conduct of the services rendered under this application, not later than 15 days from the date of billing, such payment to be made by check, money order, or draft, payable and mailed to the Agricultural Marketing Service, Washington 25, D.C., for deposit to the appropriation from which the expenses were paid.

Done at Washington, D.C., this 1st day of June 1960, to become effective July 1, 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 60-5094; Filed, June 3, 1960; 8:50 a.m.]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—United States Standards for Grades of Canned Fruits for Salad [1]

On August 18, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 6693) regarding a proposed revision of the United States Standards for Grades of Canned Fruits for Salad.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Canned Fruits for Salad are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627):

PRODUCT DESCRIPTION AND GRADES

Sec.
52.3831 Product description.
52.3832 Grades of canned fruits for salad.

PROPORTIONS AND FORMS OF FRUIT

52.3833 Proportions and forms of fruit.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS

52.3834 Liquid media and Brix measurements for canned fruits for salad.
52.3835 Recommended fill of container for canned fruits for salad.
52.3836 Recommended minimum drained weights for canned fruits for salad.
52.3837 Compliance with recommended drained weights.

FACTORS OF QUALITY

52.3838 Ascertaining the grade.
52.3839 Ascertaining the rating for the factors which are scored.
52.3840 Color.
52.3841 Uniformity of count and size.
52.3842 Absence of defects.
52.3843 Character.

LOT INSPECTION AND CERTIFICATION

52.3844 Ascertaining the grade of a lot.

SCORE SHEET

52.3845 Score sheet for canned fruits for salad.

AUTHORITY: §§ 52.3831 to 52.3845 issued under secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627.

PRODUCT DESCRIPTION AND GRADES

§ 52.3831 Product description.

"Canned fruits for salad" (or "canned salad fruits" or "canned fruit salad") for the purposes of this subpart is the product consisting of units of properly prepared apricots, yellow clingstone peaches, pears, pineapple, cherries and/or grapes in the forms (or styles), proportions, and minimum counts specified in Table I of this subpart. The product is packed in a suitable liquid medium with or without the addition of nutritive sweetening ingredients, artificial sweetening ingredients, or other ingredients permissible under the Federal Food, Drug, and Cosmetic Act, and is processed by heat to assure preservation of the product in hermetically-sealed containers.

§ 52.3832 Grades of canned fruits for salad.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of canned fruits for salad in which each fruit ingredient possesses similar varietal characteristics; in which the fruit ingredients possess a good color, are practically uniform in count and size, are practically free from defects, possess a good character, possess a normal flavor and odor; and that score not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or "U.S. Choice") is the quality of canned fruits for salad in which each fruit ingredient possesses similar varietal characteristics; in which the fruit ingredients possess a reasonably good color, may be irregular in count but are fairly uniform in size, are reasonably free from defects, possess a reasonably good character, possess a normal flavor and odor; and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned fruits for salad that fail to meet the requirements of U.S. Grade B.

PROPORTIONS AND FORMS OF FRUIT

§ 52.3833 Proportion and forms of fruits.

Canned fruits for salad shall consist of the kinds of fruits in the forms (styles) and proportions as specified in Table I of this subpart.

TABLE I

Fruit and forms (or styles)	Proportion [1]	
Apricots:		
Unpeeled quarters; or unpeeled halves; or peeled quarters; or peeled halves.	Not less than 15%.	Not more than 30%.
Yellow clingstone peaches:		
Peeled quarters; or peeled slices.	Not less than 23%.	Not more than 46%.
Pears:		
Peeled quarters; or peeled slices.	Not less than 19%.	Not more than 38%.
Pineapple:		
Wedge-shaped segments from slices.	Not less than 8%.	Not more than 16%.
Cherries, whole:		
Artificially colored red; or artificially colored red and artificially flavored.	Not less than 3%.	Not more than 8%.
Grapes, whole:		
Natural, seedless.	Not less than 6%.	Not more than 12%.

[1] Percentages of each fruit based on the average drained weight from the containers examined: *Provided,* That the variability is within the range of good commercial practice.

LIQUID MEDIA, FILL OF CONTAINER, AND DRAINED WEIGHTS

§ 52.3834 Liquid media and Brix measurements for canned fruits for salad.

"Cut-out" requirements for liquid media in canned fruits for salad are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurements, as applicable, for the respective designations are as follows:

Designations	*Brix measurement*
"Extra heavy sirup" or "Extra heavy fruit juice sirup".	22° or more but less than 35°.
"Heavy sirup" or "Heavy fruit juice sirup".	18° or more but less than 22°.
"Light sirup" or "Light fruit juice sirup".	14° or more but less than 18°.
"In water"	No requirement.
"In fruit juice"	No requirement.

§ 52.3835 Recommended fill of container for canned fruits for salad.

The recommended fill of container for canned fruits for salad is not incorpo-

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

rated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container be as full of the fruit ingredients as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume of the container.

§ 52.3836 Recommended minimum drained weights for canned fruits for salad.

(a) *General.* The minimum drained weight recommendations in Table II of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining drained weight.* The drained weight of canned fruits for salad is determined by emptying the contents of the container upon a United States Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch, ±3%, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and fruits less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

§ 52.3837 Compliance with recommended minimum drained weights.

Compliance with the recommended minimum drained weights for canned fruits for salad is determined by averaging the drained weights from all the containers which are representative of a specific lot and such lot is considered as meeting the recommendations if the following criteria are met:

(a) The average of the drained weights from all of the containers meets the recommended drained weight;

(b) One-half or more of the containers meet the recommended drained weight; and

(c) The drained weights from the containers which do not meet the recommended drained weight are within the range of variability for good commercial practice.

TABLE II—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED FRUITS FOR SALAD

Container designations (metal, unless otherwise stated)	Container size-overall dimensions		In any liquid medium
	Width	Height	
	Inches	*Inches*	*Ounces*
8 Z Tall	2 1/16	3 4/16	5.2
8 oz. glass			5.2
No. 300	3	4 7/16	9.0
No. 1 Tall	3 1/16	4 1/16	10.0
No. 303	3 3/16	4 9/16	10.0
No. 303 glass			10.0
No. 2	3 7/16	4 9/16	12.5
No. 2½	4 1/16	4 1/16	18.0
No. 2½ glass			18.0
No. 10	6 3/16	7	64.5

FACTORS OF QUALITY

§ 52.3838 Ascertaining the grade.

(a) *General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points.*
(i) Varietal characteristics.
(ii) Flavor and odor.

(2) *Factors rated by score points.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color	20
(ii) Uniformity of count and size	20
(iii) Absence of defects	30
(iv) Character	30
Total score	100

(b) *Definition of normal flavor and odor.* "Normal flavor and odor" means that the individual fruits may lack the distinctive flavor and odor of each fruit ingredient but that the product is free from objectionable flavors and objectionable odors of any kind.

§ 52.3839 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means "17, 18, 19, or 20 points").

§ 52.3840 Color.

(a) (*A*) *classification.* Canned fruits for salad that possess a good color may be given a score of 17 to 20 points. "Good color" means that each fruit ingredient possesses a reasonably uniform typical color that is bright and characteristic of at least reasonably well-matured (or ripened) fruit that has been properly prepared and processed; that the fruit ingredients may be no more than slightly affected by pink staining; that none of the fruit ingredients are dull or off color for reasons other than being slightly affected by pink staining; and that not more than 10 percent, by count, of all the units may possess a fairly good color: *Provided,* That not more than 20 percent, by count, of any one fruit may possess a fairly good color.

(b) (*B*) *classification.* If the canned fruits for salad possess a reasonably good color, a score of 14 to 16 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that each fruit ingredient possesses a fairly uniform and fairly good typical color that is characteristic of at least fairly well-matured (or ripened) fruit that has been properly prepared and processed; that the fruit ingredients may be more than slightly affected by pink staining but not to the extent that the appearance is materially affected by this cause but none of the fruit ingredients may be off color for reasons other than staining or dullness within these limits; and that not more than 10 percent, by count, of all the units may fail to meet such reasonably good color or may be dull in color: *Provided,* That not more than 20 percent, by count, of any one fruit may be of such color.

(c) (*SStd*) *classification.* Canned fruits for salad that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3841 Uniformity of count and size.

(a) (*A*) *classification.* Canned fruits for salad that are practically uniform in count and size may be given a score of 17 to 20 points.

(1) "Practically uniform in count" means the minimum number of units of fruit as specified in Table III of this subpart.

TABLE III

When the following forms (styles) are present, and excluding grapes as fruit units, if present.	8 oz. cans or glass.	No. 1 Tall cans, No. 300 cans, No. 303 cans (or equivalent glass).	No. 2½ cans or glass.	No. 10 cans.
Halved apricots, quartered peaches, quartered pears.	No less than 2 units each of 5 fruits.	No less than 3 units each of 5 fruits.	No less than 5 units each of 5 fruits.	No less than 20 units each of 3 or more fruits.
Halved apricots, sliced or quartered peaches, sliced or quartered pears.	No less than 2 units each of fruits other than those of sliced style(s).	No less than 3 units each of fruits other than those of sliced style(s).	No less than 5 units each of fruits other than those of sliced style(s).	No less than 20 units each of 2 or more fruits other than those of sliced style(s).
Quartered apricots, sliced or quartered peaches, sliced or quartered pears.	No less than 2 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 3 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 5 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 20 units each of 2 or more fruits other than peaches and/or pears of sliced style and quartered style apricots.

(2) "Practically uniform in size" means with respect to the individual fruits within each container; and excluding cherries or grapes that may be present:

(i) *Apricots.* Halves or quarters are very symmetrical; and the weight of the largest full-size half does not exceed the weight of the smallest full-size half by more than 75 percent.

(ii) *Pears or peaches (quarters).* Quarters are very symmetrical; the weight of the largest full-size quarter does not exceed the weight of the smallest full-size quarter by more than 60 percent.

(iii) *Peaches (slices).* Not more than 5 percent, by count, of the units may be partial slices, slivers, and slabs; and any variation in the size and symmetry of normal slices does not affect more than slightly the appearance of the product.

(iv) *Pears (slices).* Not more than 10 percent, by count, of the units may vary noticeably from the uniform shape of slices.

(v) *Pineapple (wedges).* Not more than a total of 10 percent, by count, of the units may vary noticeably in measurement of the outside arc of the wedges, may be less than 5/16 inch or more than 1/2 inch in thickness, and may be less than 11/16 inch or more than 1 1/4 inches in length.

(b) *(B) classification.* If the canned fruits for salad are irregular in count or fairly uniform in size, a score of 14 to 16 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule).

(1) "Irregular in count" means that the canned fruits for salad (within the container) fail to meet the applicable count requirements of the (A) classification (paragraph (a) of this section).

(2) "Fairly uniform in size" means with respect to the individual fruits within each container; and excluding cherries or grapes that may be present:

(i) *Apricots.* Units may vary in size and thickness; the weight of the largest full-size half may be not more than twice the weight of the smallest full-size half.

(ii) *Pears or peaches (quarters).* Quarters may vary in size and thickness; the weight of the largest full-size quarter may be not more than twice the weight of the smallest full-size quarter.

(iii) *Peaches (slices).* Not more than 20 percent, by count, of the units may be partial slices, slivers, and slabs; and the balance of normal slices may vary noticeably in size and thickness.

(iv) *Pears (slices).* Not more than 20 percent, by count, of the units may vary noticeably from the uniform shape of slices.

(v) *Pineapple (wedges).* Not more than a total of 15 percent, by count, of the units may vary noticeably in measurement of the outside arc of the wedges, may be less than 5/16 inch or more than 1/2 inch in thickness, and may be less than 11/16 or more than 1 1/4 inches in length.

(c) *(SStd) classification.* Canned fruits for salad that fail to meet the requirements of paragraph (b) of this section with respect to uniformity of size may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3842 Absence of defects.

(a) *General.* The factor of defects refers to loose or attached peel from peaches or pears or when peeled apricots are present; blemishes typical for each fruit ingredient; and other defects not specifically mentioned (such as, but not limited to, harmless extraneous material, main stems or portions thereof, capstems from or on grapes, pit or core material, broken or severed units, excessive trimming) that affect the appearance or edibility of the product.

(b) *Definition of blemishes.* For the purposes of the standards in this subpart, blemishes (or blemished or blemished unit) for the respective fruit ingredient are as follows:

(1) *Apricot*—(i) *Minor blemishes.* "Minor blemishes" in unpeeled style include "freckles" and also mean:

(*a*) Light brown to brown surface areas which, singly or in combination on a unit, exceed in the aggregate the area of a circle 1/8 inch in diameter but do not exceed in the aggregate the area of a circle 1/4 inch in diameter; or

(*b*) Single dark brown surface areas that do not exceed the area of a circle 1/8 inch in diameter but which, singly or in combination with other "minor blemishes" on a unit, affect materially but not seriously the appearance of the unit. Light brown to brown surface areas and "freckles" that are insignificant and less than the area of a circle 1/8 inch in diameter and which do not affect materially the appearance of the unit are not considered "blemished."

(ii) *Serious blemishes.* "Serious blemishes" include units affected by scab, hail injury, discoloration, or other abnormalities in the following degree:

(*a*) Light brown to brown surface areas in unpeeled styles which, singly or in combination on a unit, exceed in the aggregate the area of a circle 1/4 inch in diameter;

(*b*) Blemishes that extend into the fruit tissue regardless of area of depth;

(*c*) Single dark brown surface areas in unpeeled styles that exceed the area of a circle 1/8 inch in diameter, whether or not the unit is affected by minor blemishes; or

(*d*) Any blemish whether or not specifically defined or mentioned in this subparagraph which affects seriously the appearance of the unit but is not a filthy or decomposed substance.

(2) *Cherries.* (i) "Blemished" or "blemished units" include, but are not necessarily limited to, cherries that are deformed, are damaged by mechanical injury, possess pits or portions thereof; are affected by surface discoloration, rough surface areas, or checks or cracks to the extent that the appearance of the cherry is materially affected.

(ii) "Seriously blemished" or "seriously blemished units" include cherries that are blemished to the extent that the appearance of the cherry is seriously affected or the edibility of the cherry is affected in any way.

(3) *Peach*—(i) *Blemished.* "Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality which affects materially the appearance or edibility of the unit.

(ii) *Seriously blemished.* "Seriously blemished" or "seriously blemished units" means units that are blemished to the extent that the appearance or edibility of the unit is seriously affected.

(4) *Pear*—(i) *Blemished.* "Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality covering an aggregate area exceeding the area of a circle 1/4 inch in diameter or units that are partially or improperly cored and stemmed. Units with black or very dark spots or any other damage which materially affect the appearance or edibility of the product are considered as "blemished," regardless of the area of the injury.

(ii) *Seriously blemished.* "Seriously blemished" or "seriously blemished units" means units that are blemished to the extent that the appearance or edibility of the unit is seriously affected.

(5) *Pineapple*—(i) *Blemished.* (*a*) "Blemishes" include:

(*1*) Any of the following, if in excess of 1/16 inch in the longest dimension on the exposed surface of the unit; eyes, pieces of shell, brown spots.

(*2*) Deep fruit eyes.

(*3*) Bruised portions.

(*4*) Other abnormalities that it is possible to detect in good commercial practice before sealing in the containers.

(c) *(A) classification.* Canned fruits for salad that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" in canned fruits for salad means:

(1) Not more than 1/4 square inch of peel, on an average, per pound of total contents may be present;

(2) Not more than a total of 10 percent, by count, of all the fruit units may be blemished and seriously blemished: *Provided,* That not more than 5 percent, by count, may be seriously blemished; and

(3) The presence of blemished and seriously blemished units, peel, and any other defects, individually or collectively does not materially affect the appearance or edibility of the product.

(d) *(B) classification.* If the canned fruits for salad are reasonably free from defects, a score of 21 to 25 points may be given. Canned fruits for salad that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" in canned fruits for salad means:

(1) Not more than 1/2 square inch of peel, on an average, per pound of total contents may be present;

(2) Not more than a total of 20 percent, by count, of all the fruit units may be blemished and seriously blemished: *Provided,* That not more than 10 percent, by count, may be seriously blemished; and

(3) The presence of blemished and seriously blemished units, peel, and any other defects, individually or collectively does not seriously affect the appearance or edibility of the product.

(e) *(SStd) classification.* Canned fruits for salad that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3843 Character.

(a) *General.* The factor of character, as may be applicable to the respective fruit ingredient, refers to the degree of ripeness, the texture and condition of the flesh, the firmness, the tenderness,

and the tendency of the units to retain their apparent original conformation and size without material disintegration.

(b) (*A*) *classification.* Canned fruits for salad that possess a good character may be given a score of 25 to 30 points. "Good character" means that not more than 10 percent, by count, of the total number of apricot, peach, pear, and pineapple ingredients may fail to comply with the following requirements for the individual fruit ingredient, and that the cherries, or grapes if present, are reasonably firm and retain their apparent original conformation:

(1) *Apricot.* The units possess a reasonably uniform, reasonably tender texture typical of properly ripened canned apricots that are properly processed; the texture is reasonably fleshy, and the units are reasonably thick but the tenderness may be variable within the unit or among the units; and the units may be soft to slightly firm or slightly ragged but are not mushy.

(2) *Peach.* The units possess a texture typical of mature, properly ripened, properly prepared, and properly processed canned clingstone peaches; the texture is reasonably fleshy, and the units are reasonably tender or the tenderness may be variable within the unit; and the units are reasonably intact with not more than slightly frayed edges and may be slightly firm or slightly soft but are not mushy.

(3) *Pear.* The units possess a texture typical of properly ripened pears that are properly processed; the units may possess a texture of moderate graininess; the units are reasonably tender or the tenderness may be variable within the unit; and the units may be slightly firm or slightly ragged with slightly frayed edges or slightly soft but are not mushy.

(4) *Pineapple.* The units are of practically uniform ripeness, the fruitlets appear as a compact structure, and the units are reasonably free from porosity.

(c) (*B*) *classification.* If the canned fruits for salad possess a reasonably good character, a score of 21 to 24 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that not more than 10 percent, by count, of the total number of apricot, peach, pear, and pineapple ingredients may fail to comply with the following requirements for the individual fruit ingredient, and that the cherries, or grapes if present, may be only fairly firm: *Provided,* That the appearance or edibility of the product is not affected materially by such units:

(1) *Apricot.* The units possess a texture of properly processed apricots which may be variable but the texture is fairly fleshy and the units are intact; the units may be lacking uniformity of tenderness but are not so firm as to be "not tender"; and the units may be markedly ragged with frayed edges or may be very soft but are not mushy.

(2) *Peach.* The units possess a texture typical of mature, properly prepared, and properly processed canned clingstone peaches which may be variable but the texture is fairly fleshy; the units may be lacking uniformity of tenderness but are not so firm as to be "not tender"; and the units may be frayed but not excessively frayed or may be soft but are not mushy.

(3) *Pear.* The units possess a texture of properly processed pears which may be variable; the units may possess a texture of marked graininess; and the units may be lacking uniformity of tenderness and may be markedly firm but are not so firm as to be "not tender";

(4) *Pineapple.* The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, and the units are fairly free from porosity.

(d) (*SStd*) *classification.* Canned fruits for salad that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.3844 Ascertaining the grade of a lot.

The grade of a lot of canned fruits for salad covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87 of this title).

SCORE SHEET

§ 52.3845 Score sheet for canned fruits for salad.

Size and kind of container	
Container mark or identification	
Label	
Net weight (ounces)	
Vacuum (inches)	
Drained weight (ounces)	
Brix measurement	
Sirup designation (extra heavy, heavy, etc.)	

Proportions of fruit ingredients:

	Average		Count ranges	Styles
Apricot	...ozs.	...%	... to ...	
Peach	...ozs.	...%	... to ...	
Pear	...ozs.	...%	... to ...	
Pineapple	...ozs.	...%	... to ...	
Cherry	...ozs.	...%	... to ...	
Grape	...ozs.	...%	... to ...	
Total	...ozs.	100%	... to ...	

Factors	Score points		
Color	20	(A)	17-20
		(B)	[1] 14-16
		(SStd)	[1] 0-13
Uniformity of count and size.	20	(A)	17-20
		(B)	[1] 14-16
		(SStd)	[1] 0-13
Absence of defects	30	(A)	26-30
		(B)	[1] 21-25
		(SStd)	[1] 0-20
Character	30	(A)	25-30
		(B)	[1] 21-24
		(SStd)	[1] 0-20
Total score	100		

Flavor and odor ( ) Normal; ( ) Off	
Grade	

[1] Indicates limiting rule.

The United States Standards for Grades of Canned Fruits for Salad (which is the second issue) contained in this subpart shall become effective 30 days after the date of publication hereof in the FEDERAL REGISTER, and thereupon will supersede the United States Standards for Grades of Canned Fruits for Salad which have been in effect since April 1, 1942.

Dated: June 1, 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 60-5077; Filed, June 3, 1960; 8:47 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 909—ALMONDS GROWN IN CALIFORNIA

Salable and Surplus Percentages for 1959–60 Crop Year

The salable and surplus percentages for California almonds during the 1959–60 crop year which were established August 21, 1959 (24 F.R. 6804), are being revised as hereinafter set forth. This action, which is based on the recommendation of the Almond Control Board and other available information, is in accordance with the applicable provisions of Marketing Agreement No. 119, as amended, and Order No. 9, as amended (7 CFR Part 909), regulating the handling of almonds grown in California. Said amended marketing agreement and order are effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

The revised percentages are based on the following revised estimates (in terms of kernel weight) of the Board for the crop year which began July 1, 1959: (1) Production of 84.5 million pounds; (2) trade demand for domestic almonds of 50 million pounds (based on a total trade demand of 52.5 million pounds less 2.5 million pounds of imported almonds); (3) a handler carryover of 6.1 million pounds on July 1, 1959; (4) provision for a desirable handler carryover of 19.5 million pounds on June 30, 1960; (5) trade demand and carryover requirements for 1959 crop of 63.4 million pounds; and (6) a surplus supply of 21.1 million pounds.

Based on Almond Control Board revised estimates and data now available to the Department, trade demand for domestic almonds (including needed small-sized almonds which constitute a significant part of trade demand) is expected to be in excess of the 48 million pounds previously estimated for the current crop year. The 1959 almond crop production which is now estimated at approximately 14.5 million pounds more than initially estimated (24 F.R. 6804), includes a substantial quantity of small-sized almonds, much of which constitutes surplus. Preliminary indications are that a less abundant production of small-sized almonds will result from the 1960 crop. Notwithstanding the increased 1959 crop production, it will be

necessary, in order to make available a quantity of salable almonds (including small-sized almonds) sufficient to satisfy both the enhanced trade demand and desirable handler carryover requirements on June 30, 1960, to increase the salable percentage from 70 percent to 75 percent and reduce the complementary surplus percentage from 30 percent to 25 percent.

After consideration of all available information, it is hereby found that the quantity of salable almonds is not sufficient to satisfy trade demand and desirable carryover requirements for the 1959–60 crop year and that to establish the salable and surplus percentages hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, salable and surplus percentages for almonds during the 1959–60 crop year (24 F.R. 6804) are hereby revised to read as follows:

§ 909.209 Salable and surplus percentages for almonds during the crop year beginning July 1, 1959.

The salable and surplus percentages during the crop year beginning July 1, 1959, applicable to the total kernel weight of almonds received by handlers for their own accounts, shall be 75 percent and 25 percent, respectively.

It is hereby further found that it is impracticable, unnecessary and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this document later than the time of its publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) for the reasons that: (1) upon the increase in the salable percentage and corresponding decrease in the surplus precentage, recomputation of the surplus obligation of each handler for the entire 1959–60 crop year to the effective date of such action is required by the provisions of the amended marketing agreement and order; (2) handlers who are acting as agents of the Control Board are permitted, in the event of such action, to select the requisite quantity of surplus almonds to be restored to their respective salable percentages; (3) such restoration shall, under the amended marketing agreement and order, be deemed to fulfill the obligation of the Board with respect to such increase; (4) it is necessary to make effective promptly the increase in salable percentage and the concomitant mandatory restorations of surplus almonds to handlers in order to make additional supplies of almonds available to meet the increased trade demand as soon as possible, to facilitate the achievement of the desirable handler carryover June 30, 1960, and to permit the Board to fulfill its obligation with respect to such increase; (5) this action reduces the quantity of almonds that would otherwise have to be disposed of pursuant to §§ 909.65 through 909.68; (6) the revised estimates of the Control Board were promptly submitted to the Department after an open meeting of the Board on May 13, 1960, with respect to which handlers and other interested persons were given advance notice and opportunity to express their views; and (7) this action relieves certain restrictions on the handling, use and disposition of almonds.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, May 31, 1960, to become effective upon publication in the FEDERAL REGISTER.

S. R. SMITH
Director,
Fruit and Vegetable Division.

[F.R. Doc. 60–5078; Filed, June 3, 1960; 8:47 a.m.]

[Valencia Orange Reg. 200]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 922.500 Valencia Orange Regulation 200.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 2, 1960.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 5, 1960, and ending at 12:01 a.m., P.s.t., June 12, 1960, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 450,000 cartons;
(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 3, 1960.

S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–5172; Filed, June 3, 1960; 11:20 a.m.]

[Lemon Reg. 849]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.956 Lemon Regulation 849.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective

in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 1, 1960.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 5, 1960, and ending at 12:01 a.m., P.s.t., June 12, 1960, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 325,500 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 2, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–5134; Filed, June 3, 1960; 9:16 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. No. PR–40]

PART 301—RULES OF PRACTICE IN AIR SAFETY PROCEEDINGS

Specification of Basis for Appeals and Supporting Briefs Required

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of June 1960.

The Board has observed that presently effective §§ 301.46 and 301.47, of the rules of practice in Air Safety Proceedings, do not adequately express its intention that a party wishing to challenge an Initial Decision must specify his objections thereto and embody them in a brief including itemized record and other support for the various points of fact and law relied upon.[1]

Upon issuance of an Initial Decision, there has been a full-fledged evidentiary hearing upon all contested issues before the Examiner which satisfies the applicable requirements of the Administrative Procedure Act governing formal adjudications. Consequently, any further proceedings before the Board are of a limited, appellate character so that the appellant should frame his objections specifically in order to delineate the scope of the issues raised on appeal. Unless this course is followed, the filing of a non-specific and unsupported Notice of Appeal would be sufficient to perfect the appeal and compel the Board to review the entire record without the benefit of argument from the parties. By the same token, the appellee would be subjected to a clearly onerous burden in defending the Examiner's decision without knowing the objections made or the basis therefor.

The Board's intention to require more than a bare Notice of Appeal is made manifest in the language used in § 301.46 which is captioned "Consideration of issues on appeal" and states that the Board will consider "whether any finding appealed from is supported by substantial, reliable and probative evidence." The choice of this language clearly manifests the Board's desire to limit its consideration of the issues in air safety appeals to those matters specifically raised by the parties, in their appellate briefs.[2]

Since, however, the presently effective provisions of Part 301 do not adequately embody that intention, the Board has decided to adopt a clarifying amendment which will expressly require any person seeking to appeal from an Initial Decision to perfect his appeal, within 20 days after the rendition of such decision, by filing an appeal brief stating his objections to the decision, the reasons therefor and the relief requested. Any error not so specified in the brief will be deemed waived and failure to file a brief will subject the appeal to dismissal. The Board will also expressly require that each brief on appeal and reply brief shall contain itemized record support for positions based upon the evidence of record and will provide that it need not consider any objections which are not so supported. Finally, the amended rule requires that eight, rather than five, copies of every brief shall be filed in order to provide necessary individual copies for each of the five Board members, in addition to Docket and work copies.

In order to accomplish these objectives, the instant amendment substitutes a new § 301.46 for present § 301.47. The Board has also made certain minor editorial changes in present § 301.46 captioned "Consideration of issues on appeal" and renumbered that section as § 301.47.

Since this amendment is not a substantive rule but one of agency procedure, notice and public procedure hereon are unnecessary and the amendment may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 301 of the Procedural Regulations (14 CFR Part 301) as follows, effective June 4, 1960:

1. Revise § 301.46 to read as follows:

§ 301.46 Briefs and oral argument.

(a) *Appeal briefs.* Each appeal must be perfected within 20 days after a party is advised of an oral initial decision or served with a written initial decision, by the filing with the Board of appellant's brief on appeal. Appeals may be dismissed by the Board, on its own initiative or on motion of the adverse party, when a party who has filed a Notice of Appeal fails to perfect his appeal by filing a timely brief.

(b) *Waiver of objections.* Each appellant's brief shall set forth in detail the objections to the initial decision, whether such objections be related to alleged errors in the Examiner's findings of fact and conclusions of law, his failure to make desired findings or conclusions, or the proposed order. Each such brief shall further state the reasons for such objections and the relief requested. Any error contained in the initial decision that is not objected to shall be deemed to have been waived. Where any objection is based upon evidence of record, such objection need not be considered by the Board if specific record citations to the pertinent evidence are not contained in appellant's brief.

(c) *Appellee's reply brief.* Within 15 days after appellant's appeal brief has been served upon him the appellee may file a brief in reply thereto. No further briefs may be filed except upon specific leave of the Board granted upon a showing of good cause. Where the reply brief relies upon evidence of record, specific citations thereto shall be made in the brief.

(d) *Number of copies.* Eight copies of briefs shall be filed with the Board.

(e) *Oral argument.* Oral argument before the Board will normally not be held in proceedings conducted under this part. However, the Board may permit oral argument when it is specifically requested and a need therefor is shown.

2. Revise § 301.47 to read as follows:

§ 301.47 Consideration of issues on appeal.

In considering issues raised on appeal by the parties which relate to findings of fact or the order of the Examiner, the Board will consider only (a) whether a finding is supported by substantial, reliable or probative evidence; or (b) whether the order is required by safety in air commerce or air transportation and the public interest. If the Board determines that the Examiner erred in any respect or that his order specifying the appropriate sanction or denial there-

[1] Administrator v. Luther J. Smith, Order S–1037, dated April 22, 1960.

[2] But, the Board reserves the right to raise additional issues on its own motion in § 301.47.

of should be changed, the Board may make any necessary findings or order in lieu thereof or remand the case for further hearing. The Board, upon its own motion, may raise any issue the resolution of which it deems important to a proper disposition of the proceeding; in such a case a reasonable opportunity shall be afforded to the parties to submit argument thereon.

(Secs. 204(a), 609, 1001, 1004, 1005, 1104; 72 Stat. 743, 779, 788, 792–4, 797; 49 U.S.C. 1324, 1481, 1484, 1485 and 1504)

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 60–5093; Filed, June 3, 1960; 8:50 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 395; Amdt. 169]

PART 507—AIRWORTHINESS DIRECTIVES

Lockheed 188 Aircraft

Investigation of an incident of severe vibration experienced in flight revealed that excessive free play existed in the elevator counter weight system at the center line of the airplane. If this condition is not corrected it could result in a serious oscillation of the elevator control system with possible destruction of the aircraft.

In view of the foregoing, the Administrator found that a situation existed requiring immediate action in the interest of safety, that notice and public procedure thereon were impracticable and contrary to the public interest, and that good cause existed for taking corrective action. Accordingly, an airworthiness directive was adopted on May 13, 1960, and made effective immediately as to all known operators of Lockheed Model 188 aircraft by individual telegrams dated May 13, 1960. It is hereby published as an amendment to § 507.10(a) (14 CFR Part 507) and shall become effective upon the date of its publication in the FEDERAL REGISTER as to all other persons:

LOCKHEED. Applies to all 188 Series aircraft. Compliance required as indicated.

Due to instance of severe vibration occurring, the following precautionary measures are required. Within the next ten hours' time in service inspect the elevator counter weight installation. Lockheed Drawing No. 829912, at airplane center line for evidence of free play as follows: with elevator blocked at extreme down position apply up and down force to balance weight Lockheed P/N 827020–1, and measure total movement of balance weight due to cumulative free play in joints of balance arm linkage. If movement of balance weight due to cumulative free play in system exceeds one-eighth inch inspect each joint in balance arm linkage and reduce the free play by bolt and/or part replacement at one or more of these joints so as to reduce the total free play movement of the balance weight to one-sixteenth inch or less. The airplane shall not be returned to passenger service until the excess free play in the balance arm system is eliminated.

After inspection aircraft may be ferried without passengers to a maintenance base to accomplish any necessary rework.

This amendment shall become effective upon publication in the FEDERAL REGISTER as to all persons not receiving individual notice by telegram dated May 13, 1960.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 31, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60–5061; Filed, June 3, 1960; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59–KC–95]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway and Associated Control Areas

On March 25, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2544) stating that the Federal Aviation Agency proposed to revoke the segment of VOR Federal airway No. 174 and its associated control areas between Troy, Ill., and Louisville, Ky.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, §§ 600.6174 (24 F.R. 10520, 10142, 25 F.R. 2574) and 601.6174 (24 F.R. 10602, 25 F.R. 2574) are amended to read:

§ 600.6174 VOR Federal airway No. 174 (Louisville, Ky., to Washington, D.C.).

From the Louisville, Ky., VORTAC via the Falmouth, Ky., VOR; York, Ky., VOR; Henderson, W. Va., VORTAC; Elkins, W. Va., VORTAC; Linden, Va., VOR; INT of the Linden VOR 095° True and the Washington, D.C. VOR 245° True radials; to the Washington VOR.

§ 601.6174 VOR Federal airway No. 174 control areas (Louisville, Ky., to Washington, D.C.).

All of VOR Federal airway No. 174.

These amendments shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 27, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–5062; Filed, June 3, 1960; 8:45 a.m.]

[Airspace Docket No. 60–NY–20]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas and Designated Reporting Points; Modification of Control Area Extension

On March 12, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2108) stating that the Federal Aviation Agency proposed the following actions: revocation of the segment of Amber Federal airway No. 6 and its associated control areas between Nashville, Tenn., and Cincinnati, Ohio; revocation of the Bowling Green, Ky., radio range station and the Lexington, Ky., non-directional radio beacon as designated reporting points; and redesignation of the Lexington control area extension by substituting VOR Federal airway No. 4 south alternate for Amber 6 in its description. In the third paragraph of the Notice, the south alternate of Victor 4 was incorrectly referred to as the east alternate. This was a typographical error and is corrected herein.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, §§ 600.106 (24 F.R. 10495, 25 F.R. 583), 601.106 (24 F.R. 10544, 25 F.R. 583), 601.4106 (24 F.R. 10593, 25 F.R. 583) and 601.1067 (24 F.R. 10550) are amended to read:

§ 600.106 Amber Federal airway No. 6 (Cincinnati, Ohio, to Columbus, Ohio, and Parkman, Ohio, to United States-Canadian Border).

From the Cincinnati, Ohio, RR to the INT of the NE course of the Cincinnati RR and the W course of the Columbus, Ohio, RR. From the INT of the E course of the Cleveland, Ohio, RR and a line bearing 204° True from the Perry,

Ohio, RBN via the Perry RBN to the Clear Creek, Ont., Canada, RBN.

§ 601.106 Amber Federal airway No. 6 control areas (Cincinnati, Ohio, to Columbus, Ohio, and Parkman, Ohio, to United States-Canadian Border).

All of Amber Federal airway No. 6.

§ 601.4106 Amber Federal airway No. 6 (Cincinnati, Ohio, to Columbus, Ohio, and Parkman, Ohio, to United States-Canadian Border).

No reporting point designation.

§ 601.1067 Control area extension (Lexington, Ky.).

The airspace within a 40-mile radius of the Lexington VOR extending clockwise from VOR Federal airway No. 4, east of Lexington to VOR Federal airway No. 4 south alternate, west of Lexington; and within a 25-mile radius of the Lexington VOR extending clockwise from VOR Federal airway No. 4 south alternate, west of Lexington to VOR Federal airway No. 4, east of Lexington.

These amendments shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C. on May 27, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-5063; Filed, June 3, 1960; 8:45 a.m.]

[Airspace Docket No. 60-NY-27]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Federal Airways, Associated Control Areas and Reporting Points

On March 25, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2545) stating that the Federal Aviation Agency proposed to revoke Red Federal airway No. 26 in its entirety, its associated control areas and reporting points. Additionally, the segment of Amber Federal airway No. 9 between Corapeake, N.C., and Norfolk, Va., would also be revoked.

Although not mentioned in the notice, this action revokes Amber 9 in its entirety.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, Parts 600 (24 F.R. 10487) and 601 (24 F.R. 10530) are amended as follows:

1. Section 600.109 *Amber Federal airway No. 9 (Corapeake, N.C., to Norfolk, Va.)*. is revoked.

2. Section 600.226 *Red Federal airway No. 26 (Petersburg, Va., to Corapeake, N.C.)*. is revoked.

3. Section 601.109 *Amber Federal airway No. 9 control areas (Corapeake, N.C., to Norfolk, Va.)*. is revoked.

4. Section 601.4109 *Amber Federal airway No. 9 (Corapeake, N.C., to Norfolk, Va.)*. is revoked.

5. Section 601.226 *Red Federal airway No. 26 control areas (Petersburg, Va., to Corapeake, N.C.)*. is revoked.

6. Section 601.4226 *Red Federal airway No. 26 (Petersburg, Va., to Corapeake, N.C.)*. is revoked.

These amendments shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 27, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-5064; Filed, June 3, 1960; 8:45 a.m.]

[Airspace Docket No. 60-WA-27]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Federal Airway and Associated Control Areas

On April 2, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2807) stating that the Federal Aviation Agency proposed to modify VOR Federal airway No. 45 west between Greensboro, N.C., and Raleigh, N.C.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, the following actions are taken:

§ 600.6045 [Amendment]

1. In the text of § 600.6045 (24 F.R. 10511, 25 F.R. 859, 2078) "and also a west alternate via the INT of the Raleigh VOR direct radial to the Charlotte, N.C., VOR with the Greensboro VOR 122° radial;" is deleted and "and also a W alternate via the Liberty, N.C., VOR and the INT of the Liberty VOR 114° True and the Raleigh VOR 240° True radials;" is substituted therefor.

2. Section 601.6045 (24 F.R. 10599, 25 F.R. 859) is amended to read:

§ 601.6045 VOR Federal airway No. 45 control areas (New Bern, N.C., to Charleston, W. Va., Lexington, Ky., to Waterville, Ohio, and Tipton, Mich., to Saginaw, Mich.).

All of VOR Federal airway No. 45 including an E and a W alternate.

These amendments shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 27, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-5065; Filed, June 3, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-412]

PART 602—ESTABLISHMENT OF CODED JET ROUTES AND NAVIGATIONAL AIDS IN THE CONTINENTAL CONTROL AREA

Modification of Coded Jet Route

On January 12, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 222) stating that the Federal Aviation Agency proposed to modify the segment of VOR/VORTAC jet route No. 77 between Wilmington, N.C., and Gordonsville, Va., via the Wilmington VOR 012° True and the Gordonsville VOR 164° True radials in order to permit simultaneous use of the Seymour-Johnson Restricted Area/Military Climb Corridor and J-77-V. Subsequent to the publication of the notice, it was determined that a direct route between Wilmington and Gordonsville would permit simultaneous use of the jet route and the climb corridor. However, this would require a reduction to the normal width of the jet route in the vicinity of Seymour-Johnson AFB. Accordingly, a modification of the proposal was published on April 28, 1960, in the FEDERAL REGISTER (25 F.R. 3733) amending the original notice by realigning J-77-V from Wilmington direct to Gordonsville.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, the following action is taken:

In the text of § 602.577 (14 CFR, 1958 Supp., 602.577), "From the Wilmington, N.C., VOR via the INT of the Wilmington VOR 354° and the Gordonsville VOR 178° radials; Gordonsville, Va., VOR;" is deleted and "From the Wilmington, N.C.,

VORTAC via the Gordonsville, Va., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on May 27, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-5066; Filed, June 3, 1960; 8:45 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter X—Oil Import Administration, Department of the Interior

[Reg. 1, Revision 2]

OIL IMPORT REGULATION

Revision

There was published in the FEDERAL REGISTER of April 16, 1960 (25 F.R. 3323) a notice and text of proposed amendments of Oil Import Regulation 1 (Revision 1) prescribing regulations governing the allocations of imports into Districts I–IV of residual fuel oil to be used as fuel on a quarterly basis. Interested persons were requested to present written comments, objections or suggestions with respect to the proposed amendments on or before April 29, 1960.

Most of the comments received were in favor of the proposed changes. Some objections also were received. While these objections were carefully considered it still appears desirable to adopt the proposed changes to facilitate consideration of marketing and importing patterns in connection with the determination of residual fuel oil levels. Accordingly, sections 3, 5, 9, 13, and 21 have been revised as proposed.

As a result of several comments from holders of small allocations of residual fuel oil, a new section 6 "Delayed allocations of residual fuel oil" has been added, the section on "Licenses" renumbered as section 7, and the section on "Small quantities" renumbered as section 8. The intent of the new section is to afford some measure of relief to persons with small allocations of imports of residual fuel oil who will experience difficulty in importing during a particular quarter.

A notice of proposed amendments to sections 10 and 11 was published in the FEDERAL REGISTER on May 10, 1960 (25 F.R. 4137). As has already been announced (25 F.R. 4588) it has been determined not to adopt those portions of the proposed amendments relating to reductions in crude and unfinished oil import quotas of refiners whose allocations are based on historic factors and who imported oil overland from the country of origin.

Comments were also received suggesting major changes in the method of allocation—for example, the graduated scale and the "historical percentages"—as well as comments on the specific changes proposed. After consideration of all comments, it has been determined that no fundamental changes in the method of allocation will be made at this time. Upon final determination of the amount of crude oil available for allocation in Districts I–IV it was found to be necessary to reduce somewhat the "Percents of input" in section 10.

Sections 15 and 16, pertaining to allocations in Puerto Rico, have been amended to make reference to the ensuing allocation period.

Since a number of amendments have been made to the regulation, it is desirable to revise and publish the regulation in full. Accordingly, Oil Import Regulation 1 (Revision 1) as amended, is revised in its entirety to read as set forth below and as so revised is designated as Oil Import Regulation 1 (Revision 2). Because allocations of imports must be made, applications for licenses received, and licenses issued before the beginning of the ensuing allocation periods, Oil Import Regulation 1 (Revision 2) shall become effective immediately.

Sec.
1 Purpose.
2 Oil Import Administration.
3 Allocation periods.
4 Eligibility for allocations.
5 Applications for allocations.
6 Delayed allocations of residual fuel oil.
7 Licenses.
8 Small quantities.
9 Determination of quantities available for allocation; Districts I–IV, District V.
10 Allocations of crude oil and unfinished oils; Districts I–IV.
11 Allocations of crude oil and unfinished oils; District V.
12 [Reserved]
13 Allocations of finished products; Districts I–IV, District V.
14 Determination of maximum level of imports; Puerto Rico.
15 Allocation of crude oil and unfinished oils; Puerto Rico.
16 Allocations of finished products; Puerto Rico.
17 Use of imported crude oil and unfinished oils.
18 Reports.
19 False statements.
20 Revocation or suspension of allocations or licenses.
21 Appeals.
22 Definitions.

AUTHORITY: Sections 1 to 22 issued under Proc. 3279, as amended 24 F.R. 1781, 3527, 10133; sec. 2, 68 Stat. 360, as amended, 72 Stat. 678; 19 U.S.C. 1352a.

Section 1. Purpose.

These regulations implement Presidential Proclamation 3279, "Adjusting Imports of Petroleum and Petroleum Products into the United States," dated March 10, 1959 (24 F.R. 1781), as amended, by providing for the discharge of the responsibilities imposed upon the Secretary of the Interior.

Sec. 2. Oil Import Administration.

There is established in the Department of the Interior an Oil Import Administration under the direction of an Administrator designated by the Secretary of the Interior. The Administrator is hereby empowered to exercise, pursuant to this regulation, all of the authority conferred upon the Secretary by Proclamation 3279, as amended, and the Administrator may redelegate such authority.

Sec. 3. Allocation periods.

Allocations of imports of crude oil, unfinished oils and finished products will be made for periods of six months—that is, July 1 through December 31; January 1 through June 30; except that the allocations of imports into Districts I–IV of residual fuel oil to be used as fuel will be made on a quarterly basis commencing July 1, 1960.

Sec. 4. Eligibility for allocations.

(a) To be eligible for an allocation of imports of crude and unfinished oils in Districts I–IV or in District V, a person must (1) have refinery capacity in the respective districts and (2) in respect of an allocation for the allocation period March 11, 1959, through June 30, 1959, have had refinery inputs in the respective districts for the calendar year 1958 and (3) in respect of the allocation period July 1, 1959, through December 31, 1959, and each successive allocation period thereafter have had refinery inputs in the respective districts for the year ending three months prior to the beginning of the allocation period for which the allocation is requested.

(b) To be eligible for an allocation of imports of crude oil and unfinished oils for Puerto Rico, a person must have refinery capacity in Puerto Rico and must have had refinery inputs in Puerto Rico during the months of July, August, and September of the year 1958.

(c) (1) To be eligible for an allocation of imports of finished products, other than residual fuel oil to be used as fuel, in Districts I–IV or District V, a person must have imported such products into the respective districts during the calendar year 1957.

(2) To be eligible for an allocation of imports of residual fuel oil to be used as fuel in Districts I–IV or District V, a person must have imported residual fuel oil used as fuel into the respective districts during the calendar year 1957.

(3) To be eligible for an allocation of imports of finished products, other than residual fuel oil used as fuel, in Puerto Rico, a person must have imported such products into Puerto Rico during the last half of the calendar year 1958.

(4) To be eligible for an allocation of imports of residual fuel oil to be used as fuel in Puerto Rico, a person must have imported residual fuel oil used as fuel into Puerto Rico during the last half of the calendar year 1958.

(d) A person is not eligible individually for an allocation of crude oil and unfinished oils or finished products if the person is a subsidiary or affiliate owned or controlled, by reason of stock ownership or otherwise, by any other individual, corporation, firm or other business organization or legal entity. The controlling person and the subsidiary or affiliate owned or controlled will be regarded as one. Allocations will be made to the controlling person on behalf of itself and its subsidiary or affiliate but, upon request, licenses will be issued to the subsidiary or affiliate.

Sec. 5. Applications for allocations.

(a) With respect to the allocation period January 1, 1960 through June 30, 1960 and each successive allocation period thereafter, an application for allocations of imports of crude oil and unfinished oils must be filed with the Administrator, in such form as he may prescribe, not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day.

(b) For the respective allocation periods beginning July 1, 1960, an application for an allocation of imports of residual fuel oil to be used as fuel or for an allocation of imports of other finished products must be filed with the Administrator on or before May 2, 1960, on the form that has already been made available. An application so filed by an eligible applicant will be considered to be a continuing application. Such eligible applicant need not thereafter file an application for an allocation of imports of residual fuel oil to be used as fuel or for an allocation of imports of other finished products and an application for a license for each allocation period will be mailed to him by the Oil Import Administration. The failure of an eligible applicant to return an application for a license will be regarded as an abandonment by the applicant of his continuing application for an allocation and no applications for licenses will thereafter be sent to him unless he files a new application for an allocation as provided in paragraph (c) of this section.

(c) An applicant who has no continuing application on file must, in order to receive an allocation of imports of residual fuel oil to be used as fuel or an allocation of imports of other finished products, file an application for an allocation with the Administrator not later than 60 calendar days prior to the beginning of the allocation period for which the allocation is required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day. An application so filed by an eligible applicant will be regarded as a continuing application and subject to the provisions of paragraph (b) of this section.

Sec. 6. Delayed allocations of residual fuel oil.

A person with a quarterly allocation of imports of 100,000 barrels or less of residual fuel oil to be used as fuel may, upon notifying the Administrator at least 60 days in advance of a particular allocation period, decline his allocation for that period and reacquire it in the succeeding period. In order to preserve the levels and at the same time to satisfy demand, the quantity of imports which would have been allocated to those applicants electing to avail themselves of the provisions of this section will be allocated to all other eligible applicants for the period. In the succeeding period the quantity allocated to all other eligible applicants will be correspondingly reduced to reimburse the applicants whose allocations were delayed pursuant to this section. This section has no application with respect to allocations for the allocation period beginning July 1, 1960.

Sec. 7. Licenses.

(a) When an allocation has been made to a person under this regulation, the Administrator shall, upon application in such form as he may prescribe, issue a license or licenses based on the allocation, specifying the amount of crude oil and unfinished oils or finished products which may be imported, the period of time such license shall be in effect, and the districts (Districts I-IV, District V, or Puerto Rico) into which the importation may be made. The Administrator may amend such licenses.

(b) No license issued pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 8. Small quantities.

(a) Collectors of Customs are authorized to permit without a license baggage entries, and entries for consumption of small quantities of crude oil, unfinished oils, or finished products which are certified as samples for testing or analysis and which do not exceed 110 gallons per entry.

(b) Persons desiring to import small quantities not covered by paragraph (a) of this section should file with the Administrator a request for an authorization for entry without a license for each shipment describing the oil and quantity to be imported and listing the port of entry.

Sec. 9. Determination of quantities available for allocation; Districts I–IV, District V.

(a) Prior to the beginning of each allocation period the Administrator shall determine in accordance with the limitations imposed by section 2 of Proclamation 3279, as amended, the quantities of imports of crude oil and unfinished oils which are available for allocation in Districts I–IV and in District V, respectively, and the quantities of imports of residual fuel oil to be used as fuel and of imports of finished products other than residual fuel oil to be used as fuel which are available for allocation in such districts.

(b) Pursuant to paragraph (e) of section 2 of Proclamation 3279 as amended, the Secretary will make a determination as to the level of imports into Districts I–IV of residual fuel oil to be used as fuel in sufficient time to permit the making of allocations at least 45 calendar days in advance of each quarterly period, except that for the period beginning July 1, 1960, the determination will be made in sufficient time to permit the making of allocations by June 1, 1960.

(c) After each such determination, the Administrator shall as provided by these regulations make allocations to eligible applicants for the appropriate allocation period.

Sec. 10. Allocations of crude oil and unfinished oils; Districts I–IV.

(a) The quantity of imports of crude oil and unfinished oils determined to be available for allocation in Districts I–IV for the allocation period July 1, 1960 through December 31, 1960, shall be allocated by the Administrator among eligible applicants as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, each eligible applicant shall receive an allocation based on refinery inputs for the year ending March 31, 1960, and computed according to the following schedule:

Average B/D input:	*Percent of input*
0–10,000	11.8
10–20,000	10.8
20–30,000	9.8
30–60,000	8.8
60–100,000	7.9
100–150,000	6.9
150–200,000	5.9
200–300,000	4.9
300,000 plus	3.9

(c) If an eligible applicant has been importing crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 75.7 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall nevertheless receive an allocation under this section equal to 75.7 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program.

(d) No allocation made pursuant to this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 10 percent of the allocation.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 11. Allocations of crude oil and unfinished oils, District V.

(a) The quantity of imports of crude oils determined to be available for allocation in District V for the allocation period July 1, 1960 through December 31, 1960 shall be allocated by the Administrator among eligible applicants as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, each eligible applicant shall receive an allocation based on refinery inputs for the year ending March 31, 1960 and computed according to the following schedule:

Average B/D input:	*Percent of input*
0–10,000	45.0
10–20,000	36.0
20–30,000	26.9
30–60,000	17.9
60–100,000	14.4
100–150,000	13.1
150–200,000	11.9
200,000 plus	9.5

(c) If an eligible applicant has been importing crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 80 percent of the applicant's last allocation of imports of crude oil under the Voluntary Oil Import Program, the applicant shall nevertheless receive an allocation under this section equal to 80 percent of his last allo-

cation of imports of crude oil under the Voluntary Oil Import Program.

(d) Allocations made pursuant to this section shall not permit the importation of unfinished oils in excess of 10 percent of the permissible imports of crude oil. With respect to any allocation made pursuant to this section, the Administrator upon request shall issue a license permitting the importation of unfinished oils in an amount not in excess of 10 percent of the allocation. If the total quantity of unfinished oils applied for is less than 10 percent of the permissible imports of crude oils, the Administrator may to that extent increase the percentage amount of unfinished oils specified in licenses of persons who request such increases. Each person making such a request shall receive an increase in the proportion that his allocation bears to the total of allocations made to all persons requesting increases. Each barrel of unfinished oil imported shall be deemed to be the equivalent of one barrel of crude oil and will be so charged against the person's license by the respective Collectors of Customs. The permissible percentage of imports of unfinished oils and the equivalence of unfinished oils to crude oil may be changed during the allocation period, if necessary to prevent impairing accomplishment of the purposes of the program. Such a change will be made only after notice of proposed rule making and will not become effective until the 30th calendar day following publication in the FEDERAL REGISTER of the amendment making such change.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 12. [Reserved]

Sec. 13. Allocations of finished products; Districts I–IV, District V.

(a) The quantity of imports of finished products determined to be available for allocation in Districts I–IV and in District V for any particular allocation period shall be allocated by the Administrator to each eligible applicant in the proportion that the applicant's imports of finished products during the calendar year 1957 bore to the imports of such products during that year by all eligible applicants. Separate allocations shall be made for imports of residual fuel oil to be used as fuel and for imports of finished products other than residual fuel oil to be used as fuel. The allocations of imports into Districts I–IV of residual fuel oil to be used as fuel shall be issued at least 45 calendar days in advance of the allocation period, except that for the allocation period beginning July 1, 1960, such allocations shall be made not later than June 1, 1960.

(b) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 14. Determination of maximum level of imports; Puerto Rico.

(a) Pursuant to section 2 of Proclamation 3279, it is determined (1) that the average barrels per day of imports of crude oil and unfinished oils into Puerto Rico during any particular allocation period shall not exceed the average barrels per day, as determined by the Administrator, during the months of July, August, and September of the year 1958 of imports of such commodities into Puerto Rico, and (2) that the average barrels per day, as determined by the Administrator, of imports of residual fuel oil to be used as fuel and of imports of finished products other than residual fuel oil to be used as fuel into Puerto Rico during any particular allocation period shall not exceed the average barrels per day of imports of such products, respectively, into Puerto Rico during the last half of the calendar year 1958.

(b) The Administrator shall from time to time review the determinations set forth in paragraph (a) of this section and shall recommend to the Secretary of the Interior that the level of imports be increased or decreased as may be required to meet increases or decreases in local demand in Puerto Rico or in demand for export to foreign areas.

Sec. 15. Allocation of crude oil and unfinished oils; Puerto Rico.

(a) For the allocation period July 1, 1960 through December 31, 1960, the Administrator shall allocate to each eligible applicant for an allocation for Puerto Rico quantities of imports of crude oil and unfinished oils equal to the applicant's average barrels daily of refinery input (adjusted by the Administrator for downtime) in Puerto Rico during the months of July, August, and September of the year 1958.

(b) In the event that the maximum levels of imports of crude oil and unfinished oils are increased or decreased pursuant to paragraph (b) of section 14, the Administrator shall increase or decrease individual allocations in the proportion that each allocation bears to the total allocations of crude oil and unfinished oils.

(c) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 16. Allocations of finished products, Puerto Rico.

(a) For the allocation period July 1, 1960, through December 31, 1960, the Administrator shall allocate to each eligible applicant for an allocation for Puerto Rico a quantity of imports of finished products equal to the applicant's average barrels daily of imports of such products during the last 6 months of the calendar year 1958. Separate allocations shall be made for imports of residual fuel oil to be used as fuel and of imports of finished products other than residual fuel oil to be used as fuel.

(b) In the event that the maximum level of imports of residual fuel oil to be used as fuel or of finished products other than residual fuel oil to be used as fuel is increased or decreased pursuant to paragraph (b) of section 14, the Administrator shall increase or decrease individual allocations in the proportion that each allocation bears to the total allocations of residual fuel oil to be used as fuel or of finished products other than residual fuel oil to be used as fuel, respectively.

(c) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 17. Use of imported crude oil and unfinished oils.

(a) Each person who imports crude oil or unfinished oils under a license issued pursuant to an allocation made under sections 10, 11, or 15 of this regulation must process the oils so imported in his own refinery, except that foreign crude oil may be exchanged for either domestic crude oil or domestic unfinished oils and foreign unfinished oils may be exchanged for either domestic unfinished oils or domestic crude oil for processing in such refinery if:

(1) The exchange is not otherwise unlawful;

(2) The exchange is effected on a current basis—that is, not more than ninety days elapse between the delivery of foreign and domestic oil under the exchange agreement; and

(3) The proposed exchange agreement is reported to the Administrator before it is acted upon.

(b) All exchanges must be on an oil-for-oil basis and any exchange involving adjustments, settlements, or accounting on a monetary basis is not permissible and will not be approved by the Administrator.

Sec. 18. Reports.

(a) Each person who imports crude oil, unfinished oils, or finished products under a license issued under this regulation shall report to the Administrator the quantities in barrels corrected to 60° F. of crude oil, unfinished oils, and finished products so imported. Each report shall state through which port of entry the importation was made and shall specify the kinds of unfinished oils and finished products imported. Each report should be filed with the Administrator within fifteen days of the end of a particular month.

(b) Each person who exchanges oil pursuant to section 17 of this regulation shall report the exchange to the Administrator on such forms as he shall prescribe. In addition, any changes occurring during an allocation period in the types of oils or the exchange ratio shall be reported.

Sec. 19. False statements.

Persons concealing material facts or making false statements in or in connection with any applications or reports filed with the Administrator or in connection with any license presented to or statements made to a Collector of Customs with respect to imports of crude oil, unfinished oils, or finished products, are guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

Sec. 20. Revocation or suspension of allocations or licenses.

The Administrator may, after a hearing, revoke or suspend any allocation or license issued under this regulation, on grounds relating to the national security, or the violation of the terms of Proclamation 3279, this regulation, or licenses issued pursuant thereto.

Sec. 21. Appeals.

(a) There is hereby established an Oil Import Appeals Board, comprised of a representative each from the Departments of Commerce, Defense, and Interior, of the rank of Deputy Assistant Secretary or higher, designated, respectively, by the Secretaries of such Departments. The Board shall elect a Chairman from its own membership.

(b) The Appeals Board shall consider petitions by persons affected by this regulation and may, within the limits of the maximum levels of imports established in section 2 of Proclamation 3279, as amended:

(1) Modify any allocation made to any person under this regulation on the grounds of exceptional hardship or error;

(2) Grant allocations of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under this regulation;

(3) Grant allocations of finished products on the grounds of exceptional hardship to persons who do not qualify for allocations under this regulation; and

(4) Review the revocation or suspension of any allocation or license.

(c) The modification or grant of an allocation by the Appeals Board of imports of finished products other than imports into Districts I–IV of residual fuel oil to be used as fuel shall become effective in the allocation period succeeding the period for which the appeal or petition was filed. The modification or grant of an allocation by the Appeals Board of imports into Districts I–IV of residual fuel oil to be used for fuel shall become effective in the second allocation period succeeding the period for which the appeal or petition was filed.

(d) The Appeals Board may take such action on petitions as it deems appropriate; and it may adopt, promulgate, and publish such rules and procedures as it deems appropriate for the conduct of its business. The decisions of the Appeals Board on petitions shall be final.

Sec. 22. Definitions.

As used in this regulation:

(a) "Person" includes an individual, a corporation, firm, or other business organization or legal entity, and an agency of a State, territorial, or local government, but does not include a department, establishment, or agency of the United States;

(b) "Districts I–IV" means the District of Columbia and all of the States of the United States except those States within District V;

(c) "District V" means the States of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

(d) "Crude oil" means crude petroleum as it is produced at the wellhead;

(e) "Finished products" means any one or more of the following petroleum oils, or a mixture or combination of such oils, which are to be used without further processing except blending by mechanical means:

(1) Liquefied gases: Hydrocarbon gases recovered from natural gas or produced from petroleum refining and kept under pressure to maintain a liquid state at ambient temperatures;

(2) Gasoline: A refined petroleum distillate which, by its composition, is suitable for use as a carburant in internal combustion engines;

(3) Jet fuel: A refined petroleum distillate used to fuel jet propulsion engines;

(4) Naphtha: A refined petroleum distillate falling within a distillation range overlapping the higher gasoline and the lower kerosenes;

(5) Fuel oil: A liquid or liquefiable petroleum product burned for lighting or for the generation of heat or power and derived directly or indirectly from crude oil, such as kerosene, range oil, distillate fuel oils, gas oil, diesel fuel, topped crude oil, residues;

(6) Lubricating oil: A refined petroleum distillate or specially treated petroleum residue used to lessen friction between surfaces;

(7) Residual fuel oil: A topped crude oil or viscous residuum which, as obtained in refining or after blending with other fuel oil, meets or is the equivalent of Military Specification Mil–F–859 for Navy Special Fuel Oil and any other more viscous fuel oil, such as No. 5 or Bunker C;

(8) Asphalt: A solid or semi-solid cementitious material which gradually liquefies when heated, in which the predominating constituents are bitumins, and which is obtained in refining crude oil.

(f) "Unfinished oils" means one or more of the petroleum oils listed in paragraph (e) of this section, or a mixture or combination of such oils, which are to be further processed other than by blending by mechanical means;

(g) "Administrator" means Administrator, Oil Import Administration, Department of the Interior, or his duly authorized representative;

(h) The words, "importation," "importing," "import," "imports," and "imported," include both entry for consumption and withdrawal from warehouse for consumption;

(i) "Refinery inputs" include all crude oil, imported unfinished oils, natural gasoline mixed in crude oil, and plant and field condensates mixed in crude oil, which are further processed, other than by blending by mechanical means, but do not include:

(1) Unfinished oils which have not been imported, and

(2) Crude oil and unfinished oils imported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils, is also the country of production of the crude oils from which the unfinished oils were processed or manufactured.

(j) "Refinery capacity" means a plant which, by further processing crude oil or unfinished oils, other than by blending by mechanical means, manufactures finished petroleum products.

FRED A. SEATON,
Secretary of the Interior.

JUNE 1, 1960.

[F.R. Doc. 60-5097; Filed, June 2, 1960; 12:35 p.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

PART 71—FOREIGN QUARANTINE

Exemption From Inspection

On April 22, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 3531) stating that the Surgeon General of the Public Health Service, with the approval of the Secretary of Health, Education, and Welfare, was proposing to amend § 71.46 of the Public Health Service Regulations regarding conditions under which vessels and aircraft are exempt from quarantine inspection upon arrival at ports of entry under the control of the United States.

Consideration has been given to all relevant matter presented by interested persons regarding the proposed amendment, and it has been revised in several respects.

Effective date. This amendment relates to exemption of carriers and persons from quarantine inspection under certain conditions on arrival from designated areas; and the public interest requires that it become effective at the earliest feasible date. Accordingly, the amendment shall become effective on June 10, 1960.

Section 71.46 is amended to read as follows:

§ 71.46 General provisions.

(a) A vessel or aircraft arriving at a port under the control of the United States shall undergo quarantine inspection prior to entry unless:

(1) In the current voyage the vessel or aircraft has been only in areas determined by the Surgeon General to present no significant threat of introduction of communicable disease into the United States or its possessions,[1] or

(2) In the current voyage the vessel or aircraft has received pratique at a port under the control of the United States, and since receiving such pratique has been only in areas determined by the Surgeon General to present no significant threat of introduction of communicable disease into the United States or its possessions,[1] or

(3) The vessel or aircraft possesses a duplicate of a pratique issued at a port in Canada or the Canal Zone, provided that since receiving such pratique the vessel or aircraft has been only in areas determined by the Surgeon General to present no significant threat of introduction of communicable disease into the United States or its possessions.[1]

(b) Notwithstanding the provisions of paragraph (a) of this section a vessel or aircraft:

[1] A list of such areas and changes thereto will be published in the FEDERAL REGISTER. A current list may be obtained from the Surgeon General of the Public Health Service, Washington 25, D.C. Attention: Chief, Division of Foreign Quarantine; or from Public Health Service quarantine stations at United States ports.

(1) Shall comply with any conditions and carry out any additional measures specified in the pratique.

(2) Shall undergo quarantine inspection prior to entering a port under the control of the United States if:

(i) It has on board, or during the current voyage has had on board, a person infected or suspected of being infected with anthrax, chickenpox, cholera, dengue, diphtheria, infectious encephalitis, measles, meningococcus meningitis, plague, poliomyelitis, psittacosis, relapsing fever, scarlet fever, smallpox, streptococcic sore throat, typhoid fever, typhus, or yellow fever, or

(ii) On arrival at its first port under the control of the United States it has on board: A psittacine bird (see § 71.152); a dog, cat, or monkey (see § 71.154); or an animal or article subject to § 71.156 or § 71.157 that does not comply with admission requirements therein, or

(iii) On arrival at its first port under the control of the United States it has on board a person who, within 14 days prior to arrival of the vessel or aircraft in the port, has been in an area other than those determined by the Surgeon General to present no significant threat of introduction of communicable disease into the United States or its possessions: [1] *Provided,* That inspection shall not be required where the Chief of the Division of Foreign Quarantine finds that the entry of the vessel or aircraft would not be likely to cause the introduction of communicable disease. Reports as to whether such persons are on board shall be submitted in accordance with instructions of the Chief of the Division of Foreign Quarantine.

(3) May be required, in accordance with instructions of the Chief of the Division of Foreign Quarantine, to undergo quarantine inspection if the Chief of such Division or the medical officer in charge has reason to believe that the entry of the vessel or aircraft would be likely to cause the introduction of communicable disease.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply secs. 361–369, 58 Stat. 703–706; 42 U.S.C. 264–272)

JOHN D. PORTERFIELD,
Acting Surgeon General.

Approved: May 31, 1960.

ARTHUR S. FLEMMING,
Secretary.

[F.R. Doc. 60–5070; Filed, June 3, 1960; 8:46 a.m.]

[1] A list of such areas and changes thereto will be published in the FEDERAL REGISTER. A current list may be obtained from the Surgeon General of the Public Health Service, Washington 25, D.C. Attention: Chief, Division of Foreign Quarantine; or from Public Health Service quarantine stations at United States ports.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER C—AIDS TO NAVIGATION

[CGFR 60–42]

PART 74—CHARGES FOR COAST GUARD AIDS TO NAVIGATION WORK

Subpart 74.01—Charges to Public

REPAIR OR REPLACEMENT OF DAMAGED AIDS TO NAVIGATION

The purpose of this amendment to 33 CFR 74.01–1 is to provide in the regulations for charges for the repair or replacement of aids to navigation that are damaged, destroyed, or moved off station by private persons.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 167–3 dated May 6, 1953 (18 F.R. 2962), 167–15 dated January 3, 1955 (20 F.R. 840), 167–17 dated June 29, 1955 (20 F.R. 4976) and 167–23 dated July 27, 1956 (21 F.R. 5852), to promulgate regulations in accordance with the statutes cited with the regulations below, § 74.01–1 is amended by the addition of paragraphs (c) and (d) which are prescribed and shall become effective upon the date of publication of this document in the FEDERAL REGISTER:

§ 74.01–1 Claim for damage or destruction.

* * * * *

(c) The repair or replacement with an identical or substitute aid as prescribed in this subchapter may be accomplished by the responsible interests, or by contractors employed for that purpose by them, provided the plans for the repair or replacement are satisfactory and the delay incident thereto is acceptable to the Coast Guard.

(d) Whenever a floating aid to navigation is moved off station by a private person without being otherwise damaged, claim for the cost of replacing it on station, including vessel time, shall be made against such person.

(Sec. 92, 63 Stat. 503, as amended; 14 U.S.C. 92. Interpret or apply secs. 86, 633, 642, 63 Stat. 501, 545, 547, sec. 4, 67 Stat. 462; (14 U.S.C. 86, 633, 642, 43 U.S.C. 1333))

Dated: May 27, 1960.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 60–5096; Filed, June 3, 1960; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[Ex Parte No. MC–40]

PART 192—DRIVING OF MOTOR VEHICLES

PART 193—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATIONS

Qualifications and Maximum Hours of Service of Employees of Motor Carriers, and Safety of Operation and Equipment

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 27th day of May A.D. 1960.

It appearing that the entire Commission by order of January 25, 1960, in Ex Parte No. MC–40 Qualifications and Maximum Hours of Service of Employees of Motor Carriers and Safety of Operation and Equipment (25 F.R. 1008, published February 5, 1960) promulgated certain new regulations relating to lighting devices, reflectors, and electrical equipment to be installed and maintained on motor vehicles.

It further appearing that petitions have been filed by:

(1) Truck Trailer Manufacturers Association, Inc., dated March 18, 1960.

(2) Truck Body and Equipment Association, Inc., filed April 13, 1960.

(3) Automobile Manufacturers Association, Inc., dated April 1, 1960.

(4) American Trucking Associations, Inc., dated May 12, 1960.

(5) Volkswagen of America, Inc., dated May 9, 1960.

It further appearing that further investigation and consideration of the petitions necessitates a postponement of the effective date of the order of January 25, 1960; and good cause appearing therefor:

It is ordered, That the effective date of the order of January 25, 1960, be, and it is hereby, postponed from August 1, 1960, to November 15, 1960.

And it is further ordered, That notice of this order shall be given to motor carriers, other persons of interest, and to the general public by depositing a copy thereof in the office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60–5075; Filed, June 3, 1960; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1004]

MILK IN CENTRAL ARIZONA MARKETING AREA

Notice of Proposed Termination of Certain Provisions

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Central Arizona marketing area is being considered.

The provisions proposed to be terminated are §§ 1004.17, 1004.18, 1004.31(b)(1), 1004.72, 1004.90, 1004.91, 1004.92, in § 1004.31(b)(2)(ii) the provision "including for the months of January through June, the pounds of base milk", and in § 1004.71, the provision "July through December", relating to establishment of producer bases and payments to producers for base milk and excess milk in certain months.

The United Dairymen of Arizona has requested that the base excess plan of the order be terminated by July 1, 1960, in order that producers may be aware that their milk deliveries during the months of August through November 1960 will not be used as a basis of computing payments during the months of January through June 1961. Termination of the plan will have no effect on costs of milk to handlers, but will affect distribution of returns among producers with different seasonal patterns of production. Timely action on the request can best be accomplished through termination of the provisions cited. Opportunity is hereby afforded all interested parties to submit written data, views and arguments with respect to the proposed termination.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than 10 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

Issued at Washington, D.C., this 1st day of June 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60-5080; Filed, June 3, 1960; 8:47 a.m.]

Agricultural Research Service

[9 CFR Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Approval of Budget and Fixing of Rate of Assessment for Calendar Year 1960

Consideration is being given to the approval of a budget of expenses of the Control Agency established under the marketing agreement and the marketing order (9 CFR 131.1 et seq.), regulating the handling of anti-hog-cholera serum and hog-cholera virus, and the fixing of the rate of assessment to be paid by handlers, for the calendar year 1960, as follows:

§ 131.160 Budget of expenses and rates of assessment for the calendar year 1960.

(a) *Budget of expenses.* The expenses which will necessarily be incurred by the Control Agency, established pursuant to the provisions of the marketing agreement and of the marketing order, for the maintenance and functioning of said Agency during the calendar year 1960, will amount to $46,815.00 under the recommendation of the Control Agency, from which shall be deducted the unexpended balance of $7,229.66 on hand with said Control Agency on January 1, 1960, from assessments collected during the calendar year 1959, leaving a balance of $39,585.34 to be collected during the calendar year 1960.

(b) *Rates of assessment.* Of the amount of $39,585.34 to be collected during the calendar year 1960, the sum of $30,836.98 shall be assessed against handlers who are manufacturers, and $8,748.36 shall be assessed against handlers who are wholesalers. The pro rata share of the expenses of the Control Agency to be paid for the calendar year 1960 by each handler who is a manufacturer shall be $16.54 for each ten thousand dollars or fraction thereof of serum and virus sold by such handler during the calendar year 1959 and the pro rata share of such expenses to be paid for the calendar year 1960 by each handler who is a wholesaler shall be $25.00 for the first ten thousand dollars or fraction thereof and $8.48 for each additional ten thousand dollars or fraction thereof of serum and virus sold by such handler. Such assessments shall be paid by each respective handler in accordance with the applicable provisions of the marketing agreement and order.

(c) *Terms.* As used herein, the terms "handler", "manufacturer", "wholesaler", "virus", and "serum" shall have the same meaning as is given to each such term in said marketing agreement and marketing order.

Interested parties may obtain copies of the budget mentioned herein from the Executive Secretary of the Control Agency, 512 Veterans of Foreign Wars Building, Kansas City 11, Missouri.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid consideration shall file the same with the Hearing Clerk, Room 112, Building A, United States Department of Agriculture, Washington 25, D.C., not later than the close of business on the fifteenth (15th) day after the publication of this notice in the FEDERAL REGISTER. All documents shall be filed in quadruplicate.

(49 Stat. 781; 7 U.S.C. 851 et seq.)

Issued this 31st day of May 1960.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 60-5081; Filed, June 3, 1960; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 29]

[Docket No. FDC-68]

FRUIT JELLIES, ARTIFICIALLY SWEETENED FRUIT JELLIES, ARTIFICIALLY SWEETENED FRUIT PRESERVES OR JAMS; DEFINITIONS AND STANDARDS OF IDENTITY

Notice of Hearing

In the matter of adopting definitions and standards of identity for artificially sweetened fruit jellies and for artificially sweetened fruit preserves or jams and of amending the definition and standard of identity for fruit jellies:

In the FEDERAL REGISTER of November 13, 1958 (23 F.R. 8791) there was published an order acting on a proposed amendment to the definition and standard of identity for fruit jellies, offered by the National Preservers Association (23 F.R. 6836), to permit the use of artificial red coloring in cinnamon-flavored apple and/or crabapple jelly.

Subsequently, an order was published in the FEDERAL REGISTER of October 31, 1959 (24 F.R. 8896) establishing identity standards for artificially sweetened fruit jellies and artificially sweetened fruit preserves or jams, as proposed by the National Preservers Association.

Objections were filed to both orders, and in each case a public hearing was requested in accordance with section

701(e)(2) of the Federal Food, Drug, and Cosmetic Act (70 Stat. 919; 21 U.S.C. 371(e)(2)). Notices were published announcing that objections had been filed and that both orders were stayed pending a resolution of the issues at a public hearing (24 F.R. 762, 25 F.R. 720).

The Commissioner of Food and Drugs has concluded that the objections state reasonable grounds for a hearing on the following issues:

A. With respect to the order establishing standards for artificially sweetened fruit jellies and artificially sweetened fruit preserves or jams—

1. Whether the establishment of standards of identity for these foods under the names specified would promote honesty and fair dealing in the interest of consumers.

2. Whether the standards of identity should provide for limits on fruit content other than those specified in the proposal.

3. Whether the list of jelling ingredients provided in each standard should be expanded to include certain additional jelling ingredients.

4. Whether the standards should permit the following optional ingredients:

a. Artificial coloring.

b. Propylene glycol.

c. Sugar.

B. With respect to the amendment permitting use of artificial red coloring in cinnamon-flavored apple and/or crabapple jelly—

1. Whether use of artificial red coloring would permit use of low-quality fruit in the foods specified.

2. Whether use of artificial red color in the foods specified would result in the substitution of these cinnamon-flavored, artificially colored jellies by institutional users for the more expensive berry jellies.

3. Whether the amendment would promote honesty and fair dealing in the interest of consumers.

Since the National Preservers Association was the petitioner in both orders to which objections were filed, and since the packers of fruit jellies and preserves and their suppliers are in both instances the persons most directly concerned, it is concluded that it will be practicable and efficient to hold one hearing on the objections. There will be two phases to the hearing. In the first, objections to the order establishing standards for artificially sweetened fruit jellies and fruit preserves or jams will be considered, and, in the second, objections to the order amending the fruit jellies standard to permit artificial red coloring in cinnamon-flavored apple and/or crabapple jelly will be considered.

Now, therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs (22 F.R. 1045, 23 F.R. 9500), notice is hereby given that a public hearing will be held for the purpose of receiving evidence relevant and material to the objections set forth herein. The hearing will begin at 10:00 o'clock in the morning, eastern daylight time, July 5, 1960, in room G-747A, North Building, Department of Health, Education, and Welfare, Washington, D.C. All persons interested are invited to attend the hearing and to present evidence. The hearing will be conducted in accordance with the rules of practice provided therefor.

Mr. William J. Risteau is hereby designated as presiding officer to conduct the hearing, with full authority to administer oaths and affirmations and do all other things appropriate to the conduct of the hearing. The presiding officer is required to certify the entire record of the proceedings to the Commissioner of Food and Drugs for action.

Dated: May 31, 1960.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 60-5084; Filed, June 3, 1960; 8:49 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of Ronnel

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition has been filed by Dow Chemical Company, Abbot Road Building, Midland, Michigan, proposing the establishment of a tolerance of zero for residues of ronnel (*O,O*-dimethyl-*O*-(2,4,5-trichlorophenyl) phosphorothioate) in the uncooked meat and meat by-products from beef cattle.

The analytical method proposed in the petition for determination residues of ronnel is that published in the FEDERAL REGISTER of October 10, 1959 (24 F.R. 8270).

Dated: May 31, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 60-5085; Filed, June 3, 1960; 8:49 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Ethion

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition has been filed by Niagara Chemical Division, Food Machinery and Chemical Corporation, Middleport, New York, proposing the establishment of a tolerance of 1 part per million for residues of ethion in or on citrus fruits (citrus citron, grapefruit, kumquats, lemons, limes, oranges, tangelos, and tangerines) and meat byproducts from cattle.

The analytical method proposed in the petition is that published in the FEDERAL REGISTER of August 18, 1959 (24 F.R. 6696) with mercuric chloride and sodium hydroxide treatments to eliminate interferences with other phosphorodithioate pesticides. In addition, an infrared method is given.

Dated: May 27, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60-5069; Filed, June 3, 1960; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Office of the Secretary

RESIDUAL FUEL OIL; DISTRICTS I–IV

Maximum Level of Imports

Pursuant to paragraph (e) section 2 of Presidential Proclamation 3279, as amended, the maximum level of imports into Districts I–IV of residual fuel oil to be used as fuel shall be 250,000 barrels daily for the allocation period July 1, 1960 through September 30, 1960. This action constitutes an adjustment downward of the maximum level (490,934 barrels daily) now in effect in those Districts. Neither the present level nor the adjusted level includes residual fuel oil withdrawn from bonded warehouse for ships' supplies or for exportation.

FRED A. SEATON,
Secretary of the Interior.

JUNE 1, 1960.

[F.R. Doc. 60–5098; Filed, June 2, 1960; 12:35 p.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

FOREIGN QUARANTINE

Areas Presenting No Significant Threat of Introduction of Communicable Disease Into the United States or Its Possessions

Notice is hereby given that the following areas have been determined by the Surgeon General pursuant to § 71.46 of Foreign Quarantine Regulations of the Public Health Service, 42 CFR, Part 71, as amended, to present no significant threat of introduction of communicable disease into the United States or its possessions:

The United States and its possessions.
Canada.
The Islands of St. Pierre and Miquelon.
Iceland.
Greenland.
The West Coast of Lower California.
Cuba.
The Bahama Islands.
The Canal Zone.
The Bermuda Islands.
The British Virgin Islands.
The Islands of Aruba and Curacao.
Jamaica (British West Indies).

The above list is effective June 10, 1960.

Dated: May 24, 1960.

JOHN D. PORTERFIELD,
Acting Surgeon General.

[F.R. Doc. 60–5071; Filed, June 3, 1960; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-6940]

CENTRAL VERMONT PUBLIC SERVICE CORP. AND VERMONT ELECTRIC POWER CO., INC.

Notice of Application

MAY 31, 1960.

Take notice that on May 19, 1960, a joint application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by Central Vermont Public Service Corporation ("Central Vermont") and Vermont Electric Power Company, Inc. ("Velco") seeking an order authorizing Central Vermont to sell or otherwise dispose of, and Velco to acquire, certain facilities, and both applicants to enter into an agreement for the joint use of such and other facilities. Central Vermont is incorporated under the laws of the State of Vermont and is authorized to do business in the States of New Hampshire and New York. Velco is incorporated under the laws of the State of Vermont and is not domesticated in any other state. Both Central Vermont and Velco have principal business offices at Rutland, Vermont. Central Vermont is an operating public utility engaged primarily in generating, purchasing, transmitting, distributing and selling electric energy in 13 counties of Vermont and to 4 customers in Washington County, New York. Velco, a subsidiary of Central Vermont, is an operating public utility engaged in the business of operating transmission and associated facilities to receive and transmit 100,000 kw of firm power from the St. Lawrence River Development, pursuant to a contract dated June 13, 1957 between Velco and the State of Vermont, and to deliver such power either directly or through the facilities of others to allottees of the State of Vermont, and of purchasing and selling, and transmitting for others, other power. Velco began receiving St. Lawrence power on September 1, 1958. The facilities to be transferred from Central Vermont to Velco consist of:

Approximately 33.8 circuit miles of 115 KV transmission line between Essex and Middlebury, Vermont and approximately 12.3 circuit miles of 115 KV transmission line between Essex and Milton, Vermont.

The facilities to be subject to the joint use agreement consist of the foregoing and:

(a) Approximately 13.7 miles of 115 KV transmission line between Milton, Vermont and Velco's St. Albans substation,
(b) Velco's St. Alban's substation,
(c) Velco's Middlebury substation.

The present use of the facilities to be transferred and the facilities to be subject to the joint use agreement is for the distribution by Velco of St. Lawrence Power owned by the State of Vermont to allottees of the State of Vermont, for interchange by Central Vermont of power within its Central system and by Velco for the transmission of other power for its own account and for others. The proposed disposition does not include all the operating facilities of Central Vermont or Velco. The conveyance by Central Vermont to Velco heretofore referred to shall be made within 30 days after final approval has been given by all regulatory or other bodies having jurisdiction upon a date to be established by either Central Vermont or Velco giving five days' notice to the other. The price to be paid by Velco to Central Vermont shall be the original cost, as defined by the Uniform System of Accounts prescribed by the Federal Power Commission, of such Middlebury-Milton line less the amounts accrued for depreciation as of the date on which the aforesaid conveyance is made. The proposed transaction will not have any effect upon any contract for the purchase, sale or interchange of electric energy except to permit Velco to fulfill its commitments to the State of Vermont under the Power Transmission Contract dated June 13, 1957.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 20th day of June 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–5086; Filed, June 3, 1960; 8:49 a.m.]

[Docket No. G–12399 etc.]

NATURAL GAS PIPELINE COMPANY OF AMERICA ET AL.

Order Fixing Date for Oral Argument

MAY 31, 1960.

Natural Gas Pipeline Company of America, Docket No. G–12399; Champlin Oil & Refining Company, Docket No. G–14830; Amerada Petroleum Corporation, Docket No. G–16029; Cities Service Gas Company, Docket No. G–16217; Phillips Petroleum Company, Docket Nos. G–16280 and G–16439; Carter-Jones Drilling Company, Inc., Docket No. G–16288; Magnolia Petroleum Company (now Socony Mobile Oil Company, Inc.), Docket Nos. G–16295, G–16296, G–16398 and G–16266; Johntom Oil Company, Inc., Docket No. G–16375; McCommons Oil Company, Docket No. G–16376; Anson L. Clark, Docket No. G–16382; Cornell Oil Company, Docket No. G–16383; Bond Oil Corporation, et al., Docket No.

G–16392; Hudson Oil & Metals Company, Dockt No. G–16436; The Pure Oil Company, Docket No. G–17493; Gulf Oil Corporation, Docket No. G–16761; Riddell Petroleum Corporation, Docket No. G–17828; Fain-Porter Drilling Corporation, Docket No. G–17831.

This matter was previously scheduled for oral argument on May 20, 1960. Upon consideration of the request filed by Amerada Petroleum Corporation and concurred in by Gulf Oil Corporation, the oral argument was postponed by order of the Commission dated May 17, 1960.

The following parties have filed notice of their intention to participate in the oral argument:

Natural Gas Pipeline Company of America.
Amerada Petroleum Corporation.
Socony Mobil Oil Company, Inc.
Gulf Oil Corporation.
Riddell Petroleum Corporation and Fain Porter Drilling Corporation.
Illinois Power Company.
City of Chicago.
Commission Staff Counsel.

The Commission orders: Oral argument be had before the Commission on June 16, 1960, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by the exceptions to the aforesaid decision.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–5087; Filed, June 3, 1960; 8:49 a.m.]

[Docket No. RI60–320]

JOSEPH I. O'NEILL, JR., ET AL.

Order Permitting Corrected Supplement To Be Filed, Providing for Hearing on and Suspension of Corrected Supplement

MAY 27, 1960.

By order issued May 6, 1960, in the above-entitled proceeding, the Commission suspended proposed increased rates tendered by Joseph I. O'Neill, Jr., et al. (O'Neill) until November 1, 1960, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act. The proposed increased rates were for sales of natural gas to Hunt Oil Company (Supplement No. 7 to O'Neill's FPC Gas Rate Schedule No. 1) and to El Paso Natural Gas Company (Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1) produced in the Jack Herbert Field, Upton County, Texas.

On May 5, 1960, O'Neill tendered for filing an adjustment to the tax reimbursement portion of its previously filed and suspended Supplement No. 8, which is designated as Supplement No. 1 to Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1. The tender of May 5, 1960 reflects the terms of the renegotiated agreement between O'Neill and El Paso, the purchaser, wherein O'Neill is entitled to reimbursement based on an increase in the Texas occupation tax from 5.2 percent to 7 percent.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists for permitting the tender of May 5, 1960 to be filed.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of Supplement No. 1 to Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1 and that the aforesaid supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) O'Neill is hereby permitted to file Supplement No. 1 to Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1.

(C) Pending hearing and decision thereon, the aforesaid supplement is hereby suspended and the use thereof deferred until November 1, 1960 or until such later date as Supplement No. 8 to O'Neill's FPC Gas Rate Schedule No. 1 is made effective in the manner prescribed by the Natural Gas Act, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before July 11, 1960.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–5088; Filed, June 3, 1960; 8:49 a.m.]

[Docket No. G–20121]

PENNSYLVANIA GAS CO.

Notice of Application and Date of Hearing

MAY 31, 1960.

Take notice that on November 9, 1959, Pennsylvania Gas Company (Applicant), a Pennsylvania corporation with its principal place of business in Warren, Pennsylvania, filed an application in Docket No. G–20121, supplemented on December 9, 1959 and January 25, 1960, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing it to activate and operate the Summit Gas Field in Summit Township, Erie County, Pennsylvania, as an underground gas storage field.

Applicant proposes to recondition 46 wells, plug 10 wells and install a 440 horsepower compressor in the summer of 1960. Completion of the project is scheduled for November 1, 1961. The total cost of activating Summit Field for underground storage is $1,186,288.

The storage project is to be financed from current earnings prior to May 31, 1960, and after that date from current earnings and from borrowings from National Gas Company, Applicant's parent company.

Applicant was granted temporary authorization to operate the Summit Storage Field as proposed in its application on February 26, 1960.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 1, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., respecting the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 21, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60–5089; Filed, June 3, 1960; 8:49 a.m.]

[Docket No. E–6938]

DEPARTMENT OF THE INTERIOR AND SOUTHEASTERN POWER ADMINISTRATION

Notice of Request for Approval of Rates and Charges

MAY 31, 1960.

Notice is hereby given that the United States Department of the Interior, on behalf of the Southeastern Power Administration, has filed with the Federal Power Commission for confirmation and

approval, pursuant to the provisions of the Flood Control Act of 1944 (58 Stat. 887), the schedules of rates and charges for the sale of electric energy produced at the Allatoona, Buford and Clark Hill projects and sold by the Southeastern Power Administration. Approval is requested for the period beginning July 1, 1960 and ending June 30, 1964.

The filing comprises four rate schedules designated ABC–1, ABC–2, CH–1, and CH–2, which are set forth below. Rate Schedules ABC–1 and ABC–2 are applicable to all power sold from the Allatoona and Buford projects and that power from the Clark Hill project sold in the State of Georgia. Rate Schedules CH–1 and CH–2 are applicable to all power sold from the Clark Hill project in the State of South Carolina.

Any person desiring to make comments or suggestions for Commission consideration with respect to the attached schedules of rates and charges, should submit the same in writing on or before June 20, 1960, to the Federal Power Commission, Washington 25, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[Exhibit B–1]

WHOLESALE POWER RATE SCHEDULE ABC–1

Availability. This rate schedule shall be available to public bodies and cooperatives in Georgia to whom power may be wheeled pursuant to the provisions of the contract, dated October 11, 1957, between the Georgia Power Company (hereinafter called the Company) and the Government.

Applicability. This rate schedule shall be applicable to power and accompanying energy generated at the Allatoona, Buford, and Clark Hill Projects (hereinafter called the Projects) and sold in wholesale quantities.

Character of service. The electric capacity and energy supplied hereunder will be three-phase alternating current at a nominal frequency of sixty cycles per second delivered at the delivery points of the customer on the Company's transmission and distribution system. The voltage of delivery will be maintained within the limits established by the state regulatory commission.

Monthly rate. The monthly rate for capacity and energy sold under this rate schedule shall be:

Demand charge. $0.915 per kilowatt of total contract demand.

Energy charge. 3.56 mills per kilowatt-hour.

Energy to be furnished by the Government. The Government will sell to the Customer and the Customer will purchase from the Government energy from the Projects to the extent that it is available at the Projects each billing month up to a total amount annually of 4,500 hours per kilowatt of contract demand.

For billing purposes, the energy allocation available on an annual basis to accompany the Customer's contract demand as assigned to individual delivery points shall be allocated in equal quantities each day throughout the year. In those billing months when the quantity of energy available from the Projects, less seven (7) percent losses, is sufficient to supply the energy allocations which accompany the total contract demands of all customers purchasing power pursuant to this rate schedule, the Customer will be billed by the Government by delivery points for its monthly energy allocation in an amount determined by multiplying the daily energy allocation by the number of days in the billing month. In those billing months when energy available from the Projects, less seven (7) percent losses, is insufficient to supply the energy allocations which accompany the total contract demands of all customers purchasing power pursuant to this rate schedule, the Customer shall be billed by the Government by delivery points for that portion of its monthly energy allocation determined by multiplying the ratio which the total energy available from the Projects for all said Customers' use during the particular billing month bears to the quantity necessary to supply the energy allocations which accompany the total contract demands of all said customers during such month by the quantity of energy necessary to meet the energy allocation of the Customer for said billing month.

Maximum cost to customer for capacity and energy from the projects and deficiency energy. In the event that a change in the Company's rate for deficiency energy (as defined in the contract between the Government and the Company dated October 11, 1957), upon an order of a regulatory body having jurisdiction thereof, results in a total cost to the Customer for capacity and energy from the Projects and deficiency energy that is higher than that which would result from applying the monthly rates contained in this schedule to such capacity and energy, the Government agrees to reduce the Customer's power bill for capacity and energy from the Projects, beginning as of the effective date of the order, in an amount that will result in the Customer receiving capacity and energy from the Projects and deficiency energy at a cost no higher than would result from an application of the monthly rates contained in this schedule to all such capacity and energy.

Billing month. The billing month for power sold under this schedule shall end at 12:00 midnight on the 20th day of each calendar month.

Conditions of service. The Customer shall at its own expense provide, install, and maintain on its side of each delivery point the equipment necessary to protect and control its own system. In so doing, the installation, adjustment and setting of all such control and protective equipment at or near the point of delivery shall be coordinated with that which is installed by and at the expense of the Company on its side of the delivery point.

Service interruption. When energy delivery to the Customer's system for the account of the Government is reduced or interrupted for one hour or longer, and such reduction or interruption is not due to conditions on the Customer's system, the demand charge for the month shall be appropriately reduced.

[Exhibit B–2]

WHOLESALE POWER RATE SCHEDULE ABC–2

Availability. This rate schedule shall be available to the Georgia Power Company (hereinafter called the Company).

Applicability. This rate schedule shall be applicable to electric capacity and energy generated at the Allatoona, Buford, and Clark Hill Projects (hereinafter called the Projects) and sold under the contract, dated October 11, 1957, between the Government and the Company.

Character of service. Electric capacity and energy delivered to the Company will be three-phase alternating current at a nominal frequency of sixty cycles per second and will be delivered at approximately 115,000 volts at mutually agreeable points in the vicinity of the Projects' power stations.

Monthly rate. The monthly rate for capacity and energy sold under this rate schedule shall be:

Demand charge. $0.915 per kilowatt per billing month for dependable capacity made available to the Company for its own use.

$0.915 per kilowatt per calendar month for the average of the weekly minimum amounts of nondependable capacity made available by the Government during each of several months and up to a maximum weekly quantity for each month as provided for in the aforementioned contract between the Government and the Company.

Any week which falls within two calendar months shall, for the purpose of determining the amount of nondependable capacity to be made available, be considered to be completely within the month in which Wednesday of each week falls.

Energy charge. 2.96 mills per kilowatt-hour for firm and secondary energy made available from the Projects in any billing month in excess of 1,869,696 kilowatt-hours multiplied by the number of days in said billing month.

2.00 mills per kilowatt-hour for dump energy made available by the Government and accepted by the Company.

Billing month. The billing month for power sold under this schedule shall end at 12:00 midnight on the 20th day of each calendar month.

Charges for nondependable capacity included in a bill rendered for a particular billing month shall be for that nondependable capacity made available for the calendar month ending during said billing month.

Power factor. The Company shall take capacity and energy from the Government at such power factor as will best serve the Company's system from time to time, provided that the Company shall not impose a power factor of less than 0.85 lagging on the Government's facilities which requires operation contrary to good operating practice or results in overload or impairment of such facilities or unreasonably interferes with the delivery of capacity and energy by the Government to the Company and to its other customers.

Condenser operation. The Government shall, upon the request of the Company, cause the generating units at Allatoona and Buford and one to three of its generating units at Clark Hill to be operated as condensers if, in the sole judgment of the Government, such operation does not unreasonably interfere with the delivery of capacity and energy by the Government to any of its customers, is not contrary to good operating practice, is not detrimental to such generating facilities in excess of ordinary wear and tear, and does not overload such generating facilities. Such condenser operation, subject to the preceding limitations, shall be in accordance with procedures and schedules developed and agreed upon from time to time by the operating representatives of the parties hereto. The Company shall pay the Government $5.00 per generating unit so operated for each hour that such condenser operation is requested by the Company.

Service interruption. When delivery to the Company is interrupted or reduced due to conditions on the Government's system which have not been arranged for and agreed to in advance, the charge for dependable capacity will be reduced as to the kilowatts of such capacity which have been interrupted or reduced in the proportion that the number of peak hours during such period of interruption or reduction bears to the total number of peak hours during the period covered by such charge and the monthly charge for nondependable capacity will be based on the reduced weekly availability of such capacity. Any interruption or reduction in the capacity made available will be deemed to be first an interruption or reduction of nondependable capacity made available to the Company and, next, an interruption or reduction of dependable capacity made available to the Company.

[Exhibit B–3]

WHOLESALE POWER RATE SCHEDULE CH–1

Availability. This rate schedule shall be available to public bodies and cooperatives in South Carolina purchasing firm power from

the Clark Hill Project (hereinafter called the Project).

Applicability. This rate schedule shall be applicable to power and accompanying energy generated at the Project and sold in wholesale quantities.

Character of service. The electric capacity and energy supplied hereunder will be three-phase alternating current at a nominal frequency of sixty cycles per second and will be delivered at a nominal voltage of 115,000 volts at the 115 KV bus of the Project power plant. The actual operating voltage of the Government shall within the limits of good operating practice be suitable for operation with the Customer's system.

Monthly rate. The monthly rate for capacity and energy sold under this rate schedule shall be:

Demand charge. $0.75 per kilowatt per billing month for dependable capacity made available on a firm basis.

$0.175 per kilowatt per weeek, cumulative for the billing month, for capacity made available and accepted on a weekly basis in addition to the capacity which the Government makes available for scheduling energy.

Energy charge. (a) 4.0 mills per kilowatt-hour for weekday firm energy.

(b) 3.0 mills per kilowatt-hour for all energy made available or declared and accepted in any week in excess of the weekday firm energy and up to a total weekly quantity (including weekday firm energy) determined by multiplying the number of peak period hours remaining at the time a declaration or a revision becomes effective times 0.7 times the total capacity made available, plus any energy scheduled during the week prior to the effective date of any revision; provided, that whenever as a result of a declaration or revision thereof, the Customer accepts for the remaining peak period hours of the week an amount of energy equal to or greater than 0.7 times the maximum capacity which the Government, by contract, is obligated to make available to the Customer times the remaining peak period hours, no further energy declared will be in the 3.0 mill rate block.

(c) 2.5 mills per kilowatt-hour for all energy made available or declared and accepted in any week in excess of the maximum weekly quantity determined under (b) above and up to a total weekly quantity (including the quantities under (a) and (b) above) determined by multiplying the number of peak period hours remaining at the time the declaration or revision becomes effective times 0.9 times the total capacity made available, plus any energy scheduled during the week prior to the effective date of any revision; provided, that whenever as a result of a declaration or revision thereof the Customer accepts for the remaining peak period hours of the week an amount of energy equal to or greater than 0.9 times the maximum capacity available times the then remaining peak period hours in the week, no energy thereafter declared and accepted will be in the 2.5 mill rate block.

(d) 2.0 mills per kilowatt-hour for all energy declared and accepted in any week in excess of the maximum weekly quantity determined under (c) above.

(e) 2.0 mills per kilowatt-hour for dump energy.

Billing month. All project energy shall be accounted for on a weekly basis and the total quantities of energy billed monthly shall be the sum of the weekly quantities. Energy declared or made available for any week which falls within two billing months shall be divided between the months on the basis of weekly schedules for energy delivery furnished by the Customer.

The billing month for power sold under this rate schedule shall end at midnight on the last day of each calendar month.

Power factor. The Customer shall not impose a power factor of less than .85 lagging on the Government's facilities which requires operation contrary to good operating practice or results in overload or impairment of such facilities.

Condenser operation. The Government shall, upon the request of the Customer, cause its generating units (up to the maximum number specified by contracts) to be operated as condensers if, in the sole judgment of the Government, such operation is not contrary to good operating practice, is not detrimental to such generating facilities in excess of ordinary wear and tear, and does not overload such generating facilities. Such condenser operation, subject to the preceding limitations, shall be in accordance with procedures and schedules developed and agreed upon from time to time by the operating representatives of the parties hereto. The Customer shall pay the Government $5.00 per generating unit so operated for each hour that such condenser operation is requested by the Customer.

Service interruption. When capacity made available to the Customer's system is reduced or interrupted for one hour or longer, and such reduction or interruption is not agreed to in advance nor due to conditions on the Purchaser's system, the monthly demand charge for dependable capacity shall be reduced, for each on-peak hour (the nearest number of whole hours) that such capacity is reduced or interrupted, by an amount equal to $0.75 divided by the number of peak hours in the billing month times the reduction, in kilowatts, of such capacity; and the amount of energy previously scheduled and not taken during the time of interruption shall be placed in storage to the Customer's account. If the Customer advises the Government within one working day after a day in which energy is placed in storage that it does not desire to retain ownership of such energy, the ownership of the energy will revert to the Government and the Customer shall not be obligated to pay for such energy.

[Exhibit B-4]

WHOLESALE POWER RATE SCHEDULE CH-2

Availability. This rate schedule shall be available to customers in South Carolina who have no contract for the purchase of firm power produced at the Clark Hill Project (hereinafter called the Project).

Applicability. This rate schedule shall be applicable to power available at the Project in excess of the requirements of firm power purchasers and sold in wholesale quantities.

Character of service. Power supplied hereunder will be three-phase alternating current at a nominal frequency of sixty cycles per second and will be delivered at a nominal voltage of 115,000 volts at the 115 KV bus of the Project's power plant.

Monthly rate. The monthly rate for capacity and energy sold under this rate schedule shall be:

Demand charge. $0.175 per kilowatt week for capacity made available and accepted on a weekly basis when such charge is agreed to by the customer.

Energy charge. Not more than 3.0 mills per kilowatt-hour nor less than 2.0 mills per kilowatt-hour for energy.

Billing month. The billing month for power sold under this rate schedule shall end at 12:00 midnight on the last day of each calendar month.

Conditions of service. The Government may, in its sole discretion, make power available for sale under this rate schedule and the customer may, in its sole discretion, agree to take such power.

[F.R. Doc. 60-5090; Filed, June 3, 1960; 8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4015]

CONSOLIDATED DEVELOPMENT CORP.

Order Summarily Suspending Trading

MAY 31, 1960.

The common stock, par value 20 cents per share of Consolidated Development Corporation (formerly known as Consolidated Cuban Petroleum Corporation), being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or. practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, June 1, 1960 to June 10, 1960, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 60-5091; Filed, June 3, 1960; 8:50 a.m.]

TARIFF COMMISSION

[AA1921-13]

NEPHELINE SYENITE

Notice of Investigation

Having received advice from the Treasury Department on May 27, 1960 that nepheline syenite from Canada is being, or is likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place thereof will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of this notice in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request.

Any interested party may submit to the Commission a written statement of information pertinent to the subject matter of this investigation. Fifteen clear copies of such statement should be submitted. Information which an interested party desires to submit in confidence should be submitted on separate pages, each clearly marked "Submitted in Confidence". Written statements should be filed not later than July 5, 1960.

Issued: May 31, 1960.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 60-5076; Filed, June 3, 1960; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 881]

GENERAL INCREASES IN ALASKAN RATES AND CHARGES

Notice of Supplemental Orders

Notice is hereby given that the Federal Maritime Board has entered, on May 17, 1960, the following Third Supplemental Order, to the original order in this proceeding dated January 7, 1960, which appeared in the FEDERAL REGISTER of January 15, 1960 (25 F.R. 364).

It appearing that by Original and First Supplemental Orders herein, the Board instituted an investigation into the reasonableness and lawfulness of various tariff schedules of Alaska Steamship Company, Coastwise Line, Agent C. R. Nickerson, Garrison Fast Freight Division of Consolidated Freightways, Inc., and Alaska Northern Express, Inc., naming increases in freight rates and charges, between Pacific Coast ports on the one hand and ports and points in Alaska on the other, also between ports within Alaska; and

It further appearing that such order provides that the investigation instituted thereby should include all matters and issues with respect to the lawfulness of all freight schedules of the carriers named above in effect between Pacific Coast ports on the one hand and ports and points in Alaska on the other, also between ports within Alaska; and

It further appearing that there have been filed with the Federal Maritime Board by Puget Sound-Alaska Van Lines, Inc., Local and Joint Proportional Freight Tariff, F.M.B.-F. No. 1, and Local and Joint Proportional Freight Tariff, F.M.B.-F. No. 4, naming rates at a level generally the same as those now under investigation, applying between Pacific Coast ports on the one hand and ports and points in Alaska on the other; and

It further appearing that the Board, upon consideration of said tariff schedules is of the opinion that the rates, charges, rules, regulations and practices named therein, should be made the subject of a public investigation and hearing to determine whether they are just and reasonable and otherwise lawful under the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933;

It is ordered, That this investigation be, and it is hereby, expanded to include the lawfulness of the rates, charges, rules and regulations contained in said tariff schedules under the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, with a view to making such findings and order in the premises as the facts and circumstances shall warrant; and

It is further ordered, That no change shall be made in the rates or other matters affecting the rates contained in said tariffs as of the date of this order, or filed as of the date of this order to later become effective, until this investigation has been terminated by final order of the Board unless otherwise authorized by special permission of the Board; and

It is further ordered, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules and of all other freight schedules of the carrier named herein in effect between Pacific Coast ports on the one hand and ports and points in Alaska on the other, also between ports within Alaska under the Shipping Act, 1916, as amended, and the Intercoastal Shipping Act, 1933, as amended; and

It is further ordered, That copies of this order shall be filed with said tariff schedules in the office of the Federal Maritime Board; and

It is further ordered, That Puget Sound-Alaska Van Lines, Inc., be made respondent herein; that a copy of this order shall forthwith be served upon them and upon all other respondents and protestants herein; and that this order be published in the FEDERAL REGISTER.

Dated: June 1, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-5082; Filed, June 3, 1960; 8:48 a.m.]

[Docket No. 901]

PACIFIC-ATLANTIC GUAM TRADE

General Increases in Rates

Notice is hereby given that the Federal Maritime Board has entered, on May 17, 1960, the following Fourth Supplemental Order, to the original order in this proceeding dated March 21, 1960, which appeared in the FEDERAL REGISTER of April 1, 1960 (25 F.R. 2780).

It appearing that by Original Order, as supplemented, the Board ordered suspended in full to and including April 29, 1960, Pacific Far East Line, Inc., Guam Freight Tariff No. 2, F.M.B.-F. No. 2 and American President Lines, Ltd., Pacific/Guam Tariff No. 5, F.M.B.-F. No. 9 and Atlantic/Guam Freight Tariff No. 3, F.M.B.-F. No. 8; and

It further appearing that pursuant to Third Supplemental Order the Board ordered that the investigation and hearing instituted should carry over the running of the suspension date; and

It further appearing that that said Order provides that "no change shall be made in the rates or other matters which were changed by said tariff schedules until this investigation has been terminated by final order of the Board, unless otherwise authorized by special permission of the Board; and

It further appearing that on May 6, 1960, Pacific Far East Line, Inc., filed Application for Special Permission seeking authority to publish, post and file, on 30 days' notice, consecutively numbered revised pages to Guam Freight Tariff No. 2, F.M.B.-F. No. 2, in order to establish reduced rates on the following commodities:

Beer, ale and stout, in cases. Size: in Stubby bottles in cartons 24/11 oz.
Cement, Building, in bulk, F.I.O.; and

It further appearing that on May 6, 1960, American President Lines, Ltd., filed Application No. 1 seeking authority to publish, post and file, on 30 days' notice, consecutively numbered revised pages to Pacific/Guam Freight Tariff No. 5, F.M.B.-F No. 9, in order to establish identical rate items as set forth above in the Pacific Far East Line application; and

It further appearing that the Board having found good cause therefor has on May 17, 1960, granted special permission to publish such changes on 30 days' notice under Special Permission No. 3839 in the case of Pacific Far East Line, Inc., and Special Permission No. 3840 in the case of American President Lines, Ltd.;

It is ordered, That the Original Orders herein be modified to the extent necessary to permit the publication and filing of the changes covered by such Special Permission Nos. 3839 and 3840; and

It is further ordered, That any rates, charges, regulations and practices set forth in the schedules filed pursuant to such special permissions shall be subject to the investigation and hearing herein to the same extent as the rates, charges, regulations and practices under schedules canceled thereby, and that the special permissions granted hereby shall be without prejudice to the Board's determination as to the lawfulness of the rates established pursuant hereto; and

It is further ordered, That copies of this order shall be filed with said tariff schedules in the Office of the Federal Maritime Board; and

It is further ordered, That a copy of this order shall be forthwith served upon

all respondents and protestants herein; and that this order be published in the FEDERAL REGISTER.

Dated: June 1, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-5083; Filed, June 3, 1960; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 1, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36285: *Substituted service—Monon and L&N for Gordons Transports, Inc., et al.* Filed by Central and Southern Motor Freight Tariff Association, Incorporated, Agent (No. 16), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars between Hammond, Ind., and Atlanta, Ga., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 3 to Central and Southern Motor Freight Tariff Association, Incorporated, tariff MF-I.C.C. 220.

FSA No. 36286: *Bituminous fine coal—Alabama to Yates and McManus, Ga.* Filed by O. W. South, Jr., Agent (SFA No. A3961), for interested rail carriers. Rates on bituminous fine coal, in carloads, as described in the application, from Alabama Central and St. L-SF mines in Alabama, to Yates and McManus, Ga.

Grounds for relief: Grouping.

Tariff: Supplement 34 to Southern Freight Association tariff I.C.C. S-39.

FSA No. 36287: *Substituted service—C&NW for McCoy Truck Lines, Inc., et al.* Filed by Middlewest Motor Freight Bureau, Agent (No. 243), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars between Chicago, Ill., and Cedar Rapids, Iowa, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 132 to Middlewest Motor Freight Bureau tariff MF-I.C.C. 223.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 60-5072; Filed, June 3, 1960; 8:46 a.m.]

[Notice 324]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 1, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62879. By order of May 31, 1960, the Transfer Board approved the transfer to LeRoy Shipman, doing business as Hale Transfer & Storage, Oskaloosa, Iowa, of Certificate No. MC 52902 issued July 19, 1955, in the name of Marshall Calef, doing business as Calef Transfer, Oskaloosa, Iowa, authorizing the transportation of malt beverages, over regular routes from Peoria, Ill., to Oskaloosa, Iowa; and empty malt beverage containers, on return. Stephen Robinson, 1020 Savings and Loan Building, Des Moines, Iowa, for applicants.

No. MC-FC 62967. By order of May 27, 1960, the Transfer Board approved the transfer to Arcadia Truck Line, Inc., Pittsburg, Kans., of Certificate in No. MC 96108, issued July 22, 1943, to Oliver Johnston, Arcadia, Kans., authorizing the transportation of: Feed, building materials, livestock, and grain, from, to, or between specified points in Missouri and Kansas. Wilbert W. Phalen, 201 Professional Building, Pittsburg, Kans., for applicants.

No. MC-FC 63134. By order of May 27, 1960, the Transfer Board approved the transfer to Goman's Moving Co., Inc., Verona, N.J., of Certificate in No. MC 90957, issued August 10, 1954, to Robert William Goman, Sr., doing business as Goman's Express, Verona, N.J., authorizing the transportation of: Household goods, between points in Essex County, N.J., on the one hand, and, on the other, points in New York, Connecticut, Rhode Island, Pennsylvania, Maryland, and the District of Columbia. Nicholas R. Fiore, 744 Broad Street, Newark 2, N.J., for applicants.

No. MC-FC 63165. By order of May 27, 1960, the Transfer Board approved the transfer to William J. Ford, Philadelphia, Pa., of a portion of Certificate No. MC 44724, issued December 3, 1959, to White's Delivery Service, Inc., Philadelphia, Pa., authorizing the transportation of: Paper and paper products, from Miquon, Pa., to Philadelphia, Pa., Bordentown, Camden, Linden, and Newark, N.J., Baltimore, Md., New York, N.Y., and Wilmington, Del. Jacob Polin, 426 Barclay Building, Bala-Cynwyd, Pa., for applicants.

No. MC-FC 63263. By order of May 27, 1960, the Transfer Board approved the transfer to Star Cartage, Inc., Steubenville, Ohio, of the operating rights set forth in Certificate No. MC 18982, issued by the Commission June 10, 1941, to The Kane Bros. Co., a Corporation, Youngstown, Ohio, authorizing the transportation, over irregular routes, of contractor's equipment, machinery, and machine parts, and articles requiring specialized handling or rigging, because of size or weight, between points Columbiana, Mahoning and Trumbull Counties, Ohio, on the one hand, and, on the other, points in Beaver, Lawrence, and Mercer Counties, Pa., and Hancock County, W. Va. James M. Burtch, 44 E. Broad Street, Columbus, Ohio, for applicants.

No. MC-FC 63267. By order of May 27, 1960, the Transfer Board approved the transfer to Pacific & Atlantic Trucking Co., Inc., Newark, N.J., of Permit in No. MC 45022, issued February 15, 1957, to Arthur Russo, doing business as Arthur Russo Trucking, Oceanside, N.Y., authorizing the transportation of: Such commodities as are dealt in by wholesale and retail grocery houses, between points in N.J., on the one hand, and, on the other, New York, N.Y., and points in 3 counties in New York. Edward M. Alfano, Werner & Alfano, Attorneys, 2 West 45th Street, New York 36, N.Y., for applicants.

No. MC-FC 63269. By order of May 31, 1960, the Transfer Board, approved the transfer to Eldon Wenger, doing business as Wenger Truck Line, Beaver, Iowa, of the operating rights set forth in Certificate No. MC 99603 Sub 1, issued by the Commission September 12, 1956, to Ralph L. Conard, Jr., doing business as United Freight Line, Adel, Iowa, authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Des Moines, Iowa, and Minburn, Iowa, and between Des Moines, Iowa, and Audubon, Iowa. Robert R. Rydell, 1014 Savings and Loan Building, Des Moines 9, Iowa, for applicants.

No. MC-FC 63271. By order of May 27, 1960, the Transfer Board approved the transfer to A. J. Boyd, Inc., Oaklyn, N.J., of Certificate in No. MC 50938, issued October 11, 1949, to Mable V. Hagerty, Hammonton, N.J., authorizing the transportation of: General commodities, over a regular route between Winslow Junction, N.J., and Atlantic City, N.J. Robert T. Healey, Attorney at Law, 519 Market Street, Camden, N.J., for applicants.

No. MC-FC 63273. By order of May 27, 1960, the Transfer Board approved the transfer to Rex Moving Van Service, Inc., Brooklyn, N.Y., of Certificate in No. MC 112324, issued June 4, 1956, to P. Toscano & Sons Moving Co., Inc., Brooklyn, N.Y., authorizing the transportation of: Household goods, as defined by the Commission, from points in the New York, N.Y., commercial zone, to points in Connecticut, New Jersey, New York, and Pennsylvania which are within 100 miles of New York, N.Y. Morris Honig, Attorney, 150 Broadway, New York 38, N.Y., for applicants.

No. MC-FC 63275. By order of May 27, 1960, the Transfer Board approved the transfer to R. Johns Transfer, In-

corporated, Roanoke, Va., of Permit No. MC 117700, issued April 10, 1959, in the name of Rogers Johns, doing business as R. Johns Transfer, Roanoke, Va., authorizing the transportation of general commodities excluding household goods, commodities in bulk, and various specified commodities, over irregular routes, from the warehouse of Mick-or-Mack Stores, Inc., at Salem, Va., to points in West Virginia; and empties on return. W. G. Burnette, P.O. Box 859, Lynchburg, Va., for applicants.

No. MC–FC 63277. By order of May 31, 1960, the Transfer Board approved the transfer to Clark Transfer & Storage Co., Inc., 233 D Street NW., Auburn, Washington, of Certificate No. MC 106972 issued March 19, 1948, to Harold L. Clark, doing business as Clark Transfer & Storage, 233 D Street NW., Auburn, Washington, authorizing the transportation of General commodities, excluding household goods, commodities in bulk, and other specified commodities between Auburn, Wash., on the one hand, and, on the other, points within 10 miles of Auburn with exceptions; and household goods, over irregular routes, between Auburn, Wash., on the one hand, and, on the other, points within 10 miles of Auburn.

No. MC–FC 63285. By order of May 31, 1960, the Transfer Board approved the transfer to Harner's Express, Inc., Baltimore, Md., of Certificate No. MC 46036 Sub 1, issued June 15, 1944, to Ernest L. Harner, doing business as Harner's Express, Baltimore, Md., authorizing the transportation of: Pulpboard and pulpboard boxes, from Baltimore, Md., to Hanover, York, Harrisburg, Lebanon, Lancaster, Shippensburg, and Gettysburg, Pa., Wilmington, Del., Alexandria, and Richmond, Va., and Washington, D.C.; and macaroni, noodles, spaghetti, and the sauces therefor, from Lebanon, Pa., to Baltimore, Md., and Washington, D.C. Harry F. Gillis, 919 18th Street NW., Washington, D.C., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 60–5073; Filed, June 3, 1960; 8:46 a.m.]

FLOYD A. MECHLING

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part II, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connection as heretofore reported and published (22 F.R. 996, 6584; 23 F.R. 1062, 6730; 24 F.R. 552, 6251 and 9689) during the six months' period ended May 29, 1960.

No changes.

Dated: May 29, 1960.

F. A. MECHLING.

[F.R. Doc. 60–5074; Filed, June 3, 1960; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JUNE

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.